

MUNICIPAL BOUNDARIES COMMISSION  
(IRELAND).

---

PART IV.

---

REPORT AND EVIDENCE,

WITH

APPENDICES AND MAPS

RELATING TO

THE TOWNS OF CORK AND BELFAST.

---

*Presented to both Houses of Parliament by Command of Her Majesty.*

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# REPORT.

TO HIS EXCELLENCY JOHN POYNTZ, EARL SPENCER, K.P., K.G.,

LORD LIEUTENANT GENERAL AND GENERAL GOVERNOR OF IRELAND.

MAY IT PLEASE YOUR EXCELLENCY,

We have now the honour to submit our Report on the Boundaries of the Boroughs of Cork and Belfast, together with the extensions and alterations which, in our opinion, it is desirable to adopt.

## CORK.

CORK.

The present boundary of the borough of the city of Cork was fixed by the Municipal Corporations Act, 1840, and it was then divided into eight wards, the general boundary and the boundary of each ward being set out in Schedule C of that Act. By the succeeding Act the county of the city of Cork was made coterminous with the borough, and the area by which the county of the city was thus curtailed was formed into a separate barony as the "Barony of Cork," and added to the county. Under this Act provision was made for ascertaining the proportion of debts due by the county of the city which the excluded area was then liable for, and for determining how such liability was to be discharged. In pursuance of such provision, Mr. T. Rice Henn was appointed to arbitrate in the matter, and he apportioned £12,000 to be assessed and levied on the Barony of Cork, by half yearly instalments of £200 each, with interest at the rate of 5 per cent. per annum. This was made the ground of a claim on behalf of the Grand Jury of the county of Cork, in case of an extension of the area of the city now taking place.

3 & 4 Vic.,  
c. 108.  
3 & 4 Vic.,  
c. 109.

Appendix  
No. 1.

In 1852 an Act for the Improvement of the Borough of Cork was passed.

15 & 16  
Vic., c. 143.

By the 35th section the fiscal powers of the Grand Jury of the city of Cork ceased.

By the 37th section the Council are to provide, by means of the General Purposes Rate, for all purposes hitherto provided for out of the county cess, but the said rate is not to be applied to the making, enlarging, repairing, or paving any street, road, or passage.

By the 46th section, the Council are required to make, assess, and levy such equal rate, to be called the "Rate for General Purposes."

By the 88th section the Towns Improvement Clauses Act, 1847, is incorporated, excepting certain clauses, so that by the 167th section of that Act (which is not excepted) persons occupying lands used as arable, meadow, or pasture ground only, or as woodlands, or market gardens, or nursery grounds, shall be rated in respect of same in the proportion of one-third part only of their net annual value.

10 & 11  
Vic., c. 24.

By the 118th section power is given to levy an "improvement rate," not exceeding in any one year 5s. in the pound, for the purposes of the Act other than those provided for by the 37th section.

By the Cork Municipal Corporation Act, 1853, the former division of the borough into eight wards was altered to one of seven wards, each to have two aldermen and six councillors.

16 Vic.,  
c. 10.

By the Cork Bridges, Waterworks, and Improvement Act, 1855, the Corporation were empowered to build bridges, arrange for and improve the supply of water at Cork, &c.

19 & 20  
Vic., c. 43.

By the 81st section the Corporation got powers to construct all necessary works to enable them to furnish, and they are required to furnish, to all districts and parts of the borough a supply of pure and wholesome water, sufficient for the domestic use of all the inhabitants of the borough, the supply to be constantly laid on at such a pressure as will make the water reach the highest storey of the highest of all the houses within the borough.

By the 32nd section a limit of "a circuit of three miles, to be reckoned from the borough boundary," is fixed as the "limits for water supply by agreement;" and by the 33rd section the limits for the compulsory supply of water and the compulsory rating powers are fixed to be the same as those of the borough.

By the 41st section the public water rate, not exceeding in any one year 3d. in the pound, is authorized.

By the 43rd section the Corporation are authorized and required to assess and levy the domestic water rate, not exceeding in any one year 1s. in the pound, but only to such an amount as shall, with the aid of the public water rate, and the revenue derivable by the Corporation from the supply of water by agreement, be sufficient to defray the necessary expenses, as specified in the 40th section.

31 & 32  
Via, c. 38. By the Cork Improvement Act, 1868, section 73, the limits of water supply by agreement, as defined by the Act of 1856, are deemed to be the "limits of the special Act" referred to in the Waterworks Clauses Act, 1847. By section 113 and following sections, the Corporation are empowered to provide fire stations, and appoint an inspector of fires, who may send his men and engines beyond the boundaries of the borough at his discretion, the expenses to be borne by the improvement rate.

38 & 39  
Via, c. 109. By the Cork Improvement Act, 1873, the Corporation are empowered to take down and reconstruct Anglesea Bridge and St. Vincent's Bridge.

43 & 44  
Via, c. 96. By the Cork Improvement Act, 1880, the Corporation are empowered to borrow £30,000 to improve the waterworks.

Evid, 9. Previous to our inquiry being held in Cork, the Corporation had considered the question of extending or otherwise varying the boundaries of the city, and agreed on certain extensions on the north-west, south-west, and south-east as desirable, while they thought that part of the north-eastern portion of the city, as defined by the Municipal Corporations Act, had better be separated from the city and added to the county. They were of opinion that the owners and occupiers of property within the extension proposed by them derived exceptional advantages from their proximity to the city, so as to make it desirable that they should be brought within the municipality. In proposing these extensions, the Corporation contemplated giving the full advantages of lighting, sewerage, &c., possessed by the rest of the city, and they did not consider the question of whether any suburban district should be brought within the municipal boundary with only partial advantages and differential taxation consequent thereon. The Corporation thought that the differential rating, as at present, for agricultural land, &c., under section 167 of the Towns Improvement Clauses Act, 1847, should be increased from the proportion of one-third to one-half. The Mayor expressed his individual opinion that the owners and occupiers within a certain distance of Cork should pay something to the support of the city from which they derive benefit, and he would fix the distance within which the owners and occupiers derived exceptional advantages at three miles. Other witnesses concurred in this opinion.

Evid, 15, 104, 187. The extensions which were recommended by the Corporation were—(1) the addition on the west side of the city of the greater portion of the townland of Shanakiel, on the north side of the river, and the townland of Bishop's-mill-lands, and portions of the townlands of Garteenasprig, Gillabey, and Farranmalteige, in all 325a. 3r. 36r.; (2) an addition at the north-west, including one half-mile of the Great Southern and Western Railway, with an average width of one quarter of a mile, and of an area of 146a. 6r. 15r.; (3) the addition on the south-east of 662a. 1r. 34r., bounded on the south by a line drawn from the quay at Ringmahon strand to a point one hundred yards north of Beaumont House, and thence to the city boundary at Douglas-road, Upper. This extension measures about two and three-quarter miles from west to east, with an average width of three furlongs. It includes the suburban districts of Ballintemple and Dundenion. The Corporation further proposed to exclude 106a. 3r. 83r. of the present area at the north-east, including the village of Ballinacought. The reason for the last proposition was that though the district proposed to be excluded could be and was fully supplied with water, there was a difficulty as to lighting it, as the gas company refused to lay mains for less than forty-two lamps, and the Corporation refused to pay for more than twenty-seven.

Evid, 282. We recommend larger extensions than those proposed by the Corporation, but we propose a differential rating for the portions which are not provided with full advantages.

Evid, 86, 331. We have indicated the extension by a red line on the map accompanying this report, and by a blue line the portion which it appears to us should now pay full rates, and we recommend that full taxation should accompany the extension of full advantages outside this inner area.

Evid, 334. This, we think, might be effected in the same way as "lighted and watched" districts are declared under the Belfast Acts, with similar power of appeal.

The valuation of the city was given to us at £149,302, the area 2,685A. 1R. 31P. The population in 1871 was 78,642, and in 1881 it was 78,361. Evid., 147, 151.

The area which we propose to bring in is 5,432 acres, and its valuation £23,389. The Corporation have extended their water mains and supplied the inhabitants of Blackrock with water by agreement, at the rate of 2s. in the pound, and they would have lighted the road to Blackrock but that they have no power to charge for so doing. Evid., 167.

It was stated that the charge for the water, if the district were included in the city, would be 6d. in the pound to the occupiers for domestic water rate, and 3d. in the pound to the landlord for public water rate. Evid., 161.

Strong evidence was given as to the great desirability of lighting the Blackrock road. People are afraid to traverse it at night, and loss of life has occurred owing to its present state, and the absence of lighting checks the development of building. Evid., 209, 214.

Several witnesses were of the opinion, in which we quite concur, that the sanitary state of the suburbs would be better looked after if they were under the control of the Corporation and its sanitary staff. Evid., 159.

The rates in Cork, in 1878, amounted to 5s. 9d. in the pound. The Town Clerk put the average at 6s. Evid., 309, 423.

The improvement rate, which is limited to 5s., has never exceeded 3s. 6d. Evid., 169.

The county cess on the barony of Cork for the year 1879 was 2s. 2d. in the pound. Evid., 520.

The total debts amounted to £196,000, which is reduced annually by one-sixtieth. Evid., 486.

At the time of our inquiry there were unexhausted powers of borrowing £60,000, and by the Act of 1880 further borrowing powers, to the extent of £30,000, have been acquired. Evid., 472.

It was stated that an outlay of £150,000 was contemplated for sewerage, artisans' dwellings, and bridges, some of which works would be remunerative. Evid., 489.

We recommend that there should be a Road Rate, which should be uniformly assessed, and levied as county cess is levied, and that all sanitary rates and the Improvement Rate be equally divided between owners and occupiers.

There are seven municipal wards, the numbers and boundaries of which were fixed by the Cork Municipal Corporation Act of 1853. The Corporation decided on not recommending any alteration of the existing ward boundaries; and, with reference to the extensions which they proposed, it was suggested to make the extension to the south-east, which would take in Blackrock, into a separate and independent ward. The wards in Cork are unequal in valuation and number of burgesses, varying from £30,000 with 430 burgesses, to £15,000 with 200 burgesses. The inequality appears to have arisen from the physical features of the area. Evid., 1012.

We do not recommend any alteration of the existing ward boundaries.

We suggest that of the extension proposed by us on the north side of the River Lee, the townlands of Lota More and Lota Beg be added to the North-east Ward, the other townlands going to the North-west Ward; and that the extension on the south side should be formed into a new ward, to be called "South Suburbs Ward," which will have a valuation of about £17,000 to £18,000, and a large constituency, the number of which we have not been able to ascertain. The additions to the valuation of the North-west and North-east Wards would be £4,000 and £2,000 respectively; but the addition to the number of burgesses would be very small. Though these two wards are already considerably larger than any of the other five, we see no other way of disposing of the extensions on that side of the River Lee.

A deputation from the Grand Jury of the county of Cork attended at the adjourned inquiry, held on the 2nd of December, 1879, in reference to the claim made by the Grand Jury in case any portion of the barony of Cork were now taken from the county and added to the city. Appendix No. 2.

Their views are expressed by Mr. D. F. Leahy, who said, "If it is decided that the county of Cork is to lose these valuable portions of the barony of Cork that are now to be included in the city, it will be only fair and just that the county of Cork should be reimbursed a sum in proportion to that loss, inasmuch as when the city gave up to the county the Liberties of Cork, the county paid them amply what was decided by Mr. Henn as compensation therefor." Evid., 1036.

The amount so paid was £12,000, in sixty half-yearly instalments, with five per cent. interest. The deputation asked that we should mention in this report the views of the Grand Jury, as above stated; and we now do so. We cannot, however, agree in those views, or recommend that any such claim should be entertained, for the following reasons:—By the Municipal Corporations Act, of 1840, the former area of the city was contracted, and portion of it added to the county. As the city was then subject to certain debts and liabilities, it was arranged under 3 & 4 Vict., c. 109, that such portion of the debts and liabilities as appertained to the portion added to the county Evid., 1045.

3 & 4 Vic.,  
c. 108.

should be definitely ascertained, to be liquidated in the way above stated by that added portion (constituted under this Act the barony of Cork, and alluded to above as the suburbs of Cork), in lieu of the taxes which it would have had to pay for the same purpose had it remained an integral portion of the city. It is, therefore, quite a misconception to put, as Mr Leamy did, this sum of £12,000 as compensation paid by the county to the city, for loss of a valuable portion of their rateable property. It was simply an arrangement whereby the new barony of Cork should discharge its debts, and this it has done. It might, indeed, be said that any portion of that barony now added to the city should not pay rates in respect of the debts for which the £12,000 was so awarded and paid, and such a claim would be fair.

Evid., 1030.

Evid., 1031.

The deputation did not wish it to be understood that they in any way obstructed the extension of the municipality of Cork.

Evid., 1067,  
1068.

The deputation asked for a recommendation that if portions of the barony of Cork be now added to the city, the barony should be dissolved and absorbed by the adjoining baronies. We think the consideration of this recommendation would be outside the scope of our commission.

### BELFAST.

BELFAST.

3 & 4 Vic.,  
c. 168.

The municipal boundary of Belfast was fixed by the Municipal Corporations Act, 1840. In 1853, Captain Gilbert, R.E., was appointed a Commissioner to inquire into the expediency of the extension of the municipal boundary, and on the grounds that the town had far exceeded the limits of the Borough, that it was still increasing, and likely to increase in a great degree, and that the state of the suburbs outside the boundary required the active control of a corporate body and a stringent application of sanitary powers, he recommended the municipal boundary to be extended to its present limits. His suggestion was adopted, and by the Act of 1855, the area was increased to 6,805 acres, including 814 acres of tideway.

16 & 17  
Vic., c. 114.Evid., 54,  
55, 502.

The remarkable increase of Belfast in point of buildings, population and commerce, which was observed between the year 1836 and the time of Captain Gilbert's report, has steadily continued up to the present day; and the population which had increased from 66,383 in the year 1836, to 115,294 in 1853, is at the present time 267,671, or nearly double what it was when the town was visited by Captain Gilbert.

Census Re-  
turn, 1861.

Evid., 38.

The valuation of the Borough has increased from £182,854 in 1851, to £555,194 in 1879. We visited Belfast on the 2nd August, 1879, having previously set forth our powers and instructions in the local papers, and after spending some days in inspecting the position of the present boundary, and the extent and progress of the suburbs outside it, we opened our inquiry in the Town Hall on the 5th of August.

Our sittings extended over a period of twelve days, and much interest was exhibited throughout the inquiry, and the evidence tendered by all persons concerned was of a thoroughly conclusive character.

We have now the honour to submit for your Excellency's consideration the attention and extension of the existing municipal boundary, which in our opinion it would be desirable to adopt.

The vast increase to the business part of the Borough, as indicated by the figures we have before quoted, has resulted in a proportionate increase in the buildings outside the municipal boundary, and from time to time within the last fifteen years a large number of houses have been erected, and there are now extensive and populous suburbs outside the limits of taxation, most of which were being still further extended at the time of our sitting. These suburbs it was asserted were occupied for the most part by persons having business connexions in the town, and by others who though not having any such connexions or callings within the Borough nevertheless choose the situation in consequence of the conveniences and advantages which the proximity to the town afforded.

Evid., 767,  
717, et seq.  
1650.

Before dealing with the question of extending the boundaries, a reference is necessary to the several Acts under which Belfast is governed; but as the Local Government and Taxation of Towns Inquiry Commissioners (Ireland) have so fully and exhaustively reported upon the circumstances of the town, and the powers and obligations conferred by the several Acts, we need only cite them very briefly.

8 & 9 Vic.,  
c. 142.

Evid., 571.

By the Belfast Improvement Act of 1845, and the Acts altering and amending same, the Corporation are empowered to levy a maximum rate of 1s. 8d. in the pound on all tenements the valuation of which does not exceed £20, and a maximum rate of 3s. 4d. where the valuation exceeds that amount. This rate is to be applied to the expenses of the Constabulary, the lighting of the Borough, and the payment of principal and interest on the loans contracted under the Act, and hereafter referred to.

By the Act of 1853 the area was extended to its present limits, and the Corporation were authorised to undertake the lighting and watching of such portions of the increased area as they deemed desirable, and to levy the rate as aforesaid on the districts to which these benefits were extended.

This rate is known as the Police Rate.

By the 28 & 29 Vic., cap. 183, the Corporation are empowered to levy a "General Purposes" rate, not to exceed 2s. 6d. in the pound, in the lighted and watched districts. The repairs and maintenance of the streets and footpaths in the Borough are vested in the Corporation by this statute, and the money raised by the aforesaid rate is to be applied to this purpose, and to a portion of the cost of the Constabulary, and to the repayment of principal and interest on the money which the Corporation were enabled to borrow for the purposes specified in the Act.

The Municipal Corporations Act authorizes the Corporations to levy a maximum rate of 3d. in the Pound, to be applied to the payment of the salaries of the corporate officials, to the expenses of the Burgess Roll, and Elections; and a similar rate of 3d. in the pound is leviable under the Public Parks Act, the funds thereby derived being devoted to the expense of maintaining the public parks.

The Belfast Burial Ground Act empowers the Corporation to levy a rate of 1d. in the pound to be applied to the repayment of principal and interest on the loans which the Act authorized them to raise for the purpose of purchasing a ground for a public cemetery.

On the districts not lighted and watched, the Burial rate, the Borough rate, and three-fourths of the General Purposes rate, are the only assessments which the Corporation are enabled to make. There are also district sewers rates levied under the Acts of 1865, 1868, and 1873, for the repayment of the interest and principal of the loans which the Corporation were authorized to contract for the purpose of completing the district sewers. On the Crumlin and Old Park roads, a district rate for this purpose of 2d. in the pound is assessed; on the Antrim road district, the rate is 5d. in the pound; on the Newtownards-road district, 9d. in the pound; on the Windsor district, 5d. in the pound; and on the Lurgan road district, 1s. in the pound.

The debt of the Corporation at the time of our sitting amounted to a sum of £629,362. On the security of the police rate £319,438 was borrowed and expended in the making and widening of streets, the purchase of markets and gas works and carrying out of certain sanitary improvements; £180,948 of this has been paid off, leaving a balance of £129,490 to be yet repaid.

On the security of the General Purposes rate a loan of £37,529 was obtained and applied to the paving and improvement of streets, and one-third of the cost of making district sewers in the Antrim road, Newtownards road, and Windsor district. The balance outstanding of these loans amounts to £28,962. £6,000 was borrowed on the security of the Borough rate for the purpose of providing public baths and wash-houses, and making public parks; £300 of this has been paid off, leaving a balance of £5,700 to be repaid. £25,000 has been borrowed on the security of the Burial-rate, and applied to the purchase and completion of the cemetery, and of this loan there only remains to be repaid a sum of £4,600.

Under the Act of 1865 and 1868, loans were raised on the district sewers rates as follows:—

	£
On the Crumlin and Old Park district, . . . . .	1,300
" Antrim road district, . . . . .	3,800
" Newtownards district, . . . . .	6,119
" Windsor district, . . . . .	3,080

Of these loans there still remains to be repaid.

	£
By the Crumlin road district, . . . . .	130
" Antrim road district, . . . . .	1,544
" Newtownards road district, . . . . .	4,193
" Windsor district, . . . . .	2,909

The Corporation were authorized by the Belfast Corporation Gas Act of 1874, to borrow money for the purchase of the Belfast Gas Company's works. A loan of £470,999 was obtained for this purpose, and of this sum £451,843 has yet to be repaid. Thus it will be seen that, exclusive of the moneys recently borrowed for the gas works under the Act of 1874, all that remains to be repaid of the £403,246 which comprised the total capital debt of the Corporation is a sum of £177,519.

The annual income from the gas works is more than sufficient to pay the yearly instalment of principle and interest on the loan contracted for their purchase.

The Corporation were of opinion that an increase in the municipal boundary was desirable, and they submitted for our consideration a map showing the situation of the adjoining land which they proposed to annex. Their suggestion was to include on the east

Belfast  
Borough  
Extension  
Act, 1853,  
16 & 17  
Vic., c. 114.  
Evid., 34.  
County  
Antrim and  
Belfast  
Borough  
Act, 1865.

3 & 4 Vic.,  
c. 108.  
Evid., 372.

29 & 30  
Vic., c. 118  
(1866).

Evid., 311,  
323, 324.

28 & 29  
Vic., c. 183.  
31 & 32  
Vic., c. 117.  
36 & 37  
Vic., c. 109.

Evid., 568.

Mr. Bruce.

Evid., 3.

Evid., 590.

11 & 38

Vic., c. 128.

Evid., 593.

Evid., 568.

side, known as the County Down district, the townlands of Strandtown, Ballyhackamore, Knock, part of Ballymaisert, part of Ballycloghan, and part of Ballymaconaghy, containing a total acreage, exclusive of tideway, of 1,975 acres, the rateable valuation of which is £18,069.

On the south side, or the Malone district, they proposed to include parts of the townlands of Malone Lower, and Ballymurphy, comprising an area of 1,313 acres, with a rateable value of £8,546; and in the north, or Fitzwilliam district, portions of the townlands of Skagoneill and Lowwood, and comprising 478 acres, the valuation of which is £5,131.

The Corporation based their arguments in favour of extension on the grounds that it would be in the interest of public health and public convenience that the suburban districts, which were being progressively built on, should be under some more efficient sanitary control than they now possessed, and that it would be to the advantage of the residents in these districts, as well as to the advantage of the residents within the borough, that the Corporation should be empowered to exercise the large powers now vested in them in restraining the improper building of houses in those suburbs, and in the promoting and enforcing of proper sewerage and general sanitary arrangements.

They also considered that the persons residing in the immediate vicinity of the borough and deriving all the advantages and accommodation which such a town afforded, should bear a share of the taxation towards the benefits which they were partakers of.

In the event of the entire of the districts proposed to be annexed being lighted and watched, the total income derivable from rates and the estimated total expenditure would be as follows:—

	On the No. 1 District,	Income.	Expenditure.
	" 2 "	£3,303	£3,338
	" 3 "	1,488	1,522
		935	786
	Total,	5,696	5,646

The expenditure which would be required for the maintenance and cleansing of roads in the No. 1 District was estimated by the Borough Surveyor at £2,362, the cost of lighting at £556, and the cost of watching at £520.

In No. 2 District the cost of maintaining and cleansing of roads was estimated at £993, the lighting at £279, and the watching at £250.

And in the No. 3 District £489 was allowed for the roads, £147 for lighting, and £150 for watching.

The Corporation did not propose, however, to at once include for all purposes these suburban districts. Until the same advantages of lighting and watching that the borough itself enjoyed were extended to them, these outside districts would only be liable to a maximum rate of 2s. 4½d. in the pound and, as when annexed to the borough; they would no longer have to pay the county-cess—which on the Antrim side amounted to 2s. 3d. in the pound, and on the Down side to 2s. in the pound—the total increased taxation which they would at present feel, it was urged, would be comparatively inappreciable considering the advantages that would be gained by being subject to the laws relating to municipal administration.

The Sydenham district was described as a suburban district of building ground which was being rapidly built over.

The existing houses were stated to be mostly of recent erection, and it was alleged that houses and streets had been built, the owners being free to construct them in the manner most suited to their own interest and convenience, and without being under any control or supervision.

From Strandtown, as far as the proposed boundary, the land was all held by the Corporation to be substantially villa or building ground, and much stress was laid on the fact that the want of some form of municipal government was so strongly felt by the residents of this locality that they had petitioned the Local Government Board to form their suburb into a township under the Towns Improvement Act.

The Local Government Board complied with the wishes of the memorialists, but the party opposed to this movement brought the case before the Court of Queen's Bench, and the order of the Local Government Board was quashed, as it was held that under the Towns Improvement Act there must be a town existing, whereas this district, although a large flourishing suburban place, as the promoters of the movement designated it, did not actually come under the denomination of a town, and accordingly is at the present time without any form of municipal administration.

With regard to the Malone and Fitzwilliam districts, similar reasons were assigned by the Corporation for including them in the proposed new area. Buildings had been

erected, others were in course of construction, and where land was included the probabilities were duly considered of its being made available for building and in process of time becoming a part of the town. Evid., 128.

The Corporation looked with much apprehension to what they considered must ultimately be the result of the sanitary arrangements of rapidly extending suburban districts being outside the pale of the laws which were required to be enacted for the health of the borough. In the Sydenham district they attached particular stress to the defective sewerage. This district is separated from the borough by a stream known as the Connswater. The Corporation devoted much attention and money to the sewerage of Ballymacarrett which lies on the borough side of this stream, and to avoid the possibility of the pollution of the Connswater they carried the sewers to Queen's-quay, at a very considerable cost. Immediately outside the borough there are, it was said, a large number of houses draining into a tank, the overflow from which discharges into the Connswater, and thus the pollution of this stream, which the Corporation so fully recognised the necessity for preventing on their side, continues on the opposite side of the water, and it is anticipated that if buildings increase, this defective drainage will result in a public nuisance of an aggravated character. The Corporation believed with regard to this and the other suburban districts, that a proper system of sanitation might be maintained without an extensive system of sewers for water borne sewage. Evid., 135.  
Evid., 131,  
et seq.  
Evid., 136,  
1383.

The Rural Sanitary Authorities did not insist that all cesspools should be properly constructed and emptied. The people were not summarily compelled to regularly clean out their own cesspools and discharge them on to *their own land*, and consequently it was by no means an uncommon occurrence for the occupiers of houses to allow their cesspools to become too full and to overflow down along the sides of the ditches, a practice which, if permitted to continue for any length of time, it was contended must prove prejudicial to the health of the district. Evid., 1145,  
1152.

A number of the inhabitants of a portion of the No. 3 or Fortwilliam district made an application to be permitted to drain into the town sewers, and the Improvement Committee, after a deliberation with the borough surveyor, intimated the terms upon which the Corporation were willing to accede to this request, but these terms were not accepted by the applicants, and consequently nothing further has been done to make the improvements needed here. Evid., 1147,  
et seq.

No complaint was made as to the unsanitary state of Fortwilliam Park, or the immediate vicinity, from the want of proper drainage; the evidence of Mr. Montgomery, the Borough Surveyor, on the contrary, was that so far as Fortwilliam itself was concerned the inhabitants were not likely to experience the effects of a defective drainage system, but, owing to a proper outfall not being provided, the sewage is carried out over the slob-lands, near the Shore-road, causing a perceptible and increasing nuisance. Evid., 1139.  
Evid., 1140,  
et seq.

In a rapidly extending town like Belfast, it was held by the Corporation to be most prejudicial to the future interests of the borough that no authority at present existed to regulate the building of houses directly outside the municipal limits, and an instance was cited of one house being erected within six feet of the road, despite the remonstrances of the County and Borough Surveyors; and it was pointed out that much injury to the borough would ultimately be the result of narrowing in this manner suburban streets that hereafter may become important thoroughfares. Evid., 1151.  
Evid., 1151.  
Evid., 1151.

The proposal of the Corporation was strongly opposed by the residents of the several localities which the Corporation sought to annex.

The representatives of the Sydenham district, while admitting the desirability of having some control exercised over their suburb, considered that whatever form of local government was required—whether scavenging, draining, or lighting—it could be obtained under the Public Health Act. For if the Local Government Board would sanction the formation of all the portion of the Belfast Union comprised in county Down, except Hollywood and Ballymacarrett, into a united district for all the purposes of the Act, the 12th section would then empower the joint Board to provide for all the wants of the district, both as alleged by the Corporation and as put forward by the inhabitants when promoting the township movement that had been quashed by the Court of Queen's Bench. Evid., 1020,  
et seq.

The townland of Ballymacnaghy, 127 acres of which are included in this district, is the property of the Marquis of Downshire, a minor, and exception was taken by the trustees of the estate to the proposed annexation of this townland to the borough, on the ground that it was not their intention to make any leases for building during the fourteen years to run of the minority of the present marquis. Evid., 1745.  
Evid., 1786,  
1785.

With regard to twenty two acres which had been let as building ground, and on which houses were erected, it was averred that the sanitary arrangements were suitable to the requirements of the district, and that neither lighting nor additional watching were necessary. Evid., 1743.

In the Malone District it was urged on behalf of the opponents of extension that a large number of persons residing outside the Boundary, already contributed largely to the rates of the town, as they had business premises within the borough on which the municipal rates were assessed, and a return was handed in showing that municipal rates were paid in the town by persons residing in the Malone District on a valuation of £7,840. They further considered that there was neither principle nor precedent for the inclusion of a suburban district of this character within the borough. It was a rural district, sparsely built over, with a population of a little over one person to the acre, and although they granted that these localities did derive certain advantages from their proximity to the town, still they considered that any such advantages were more than reciprocated by the benefits conferred by the country on the town.

Ev., 3296.

Ev., 1378.

Ev., 1803  
et seq.

Ev., 3333.

Ev., 3347.  
Ev., 3355,  
et seq.Ev., 3431,  
et seq.  
3535.

The sanitary state of Belfast they contended compared unfavourably with other towns in the Kingdom, and they argued, that because the Corporation had, allowed nuisances to exist and accumulate, it was opposed to right and reason that the outside districts should be compelled to pay the cost of their removal. The houses likely to be built in that district were not the class of buildings that required the superintendence of urban authorities, or would in any way profit thereby, and they believed that to give to the Corporation discretionary power of controlling buildings in such rural districts, would be detrimental to the interests of the land owners. They considered that all the local government they required was obtainable at the hands of the rural sanitary authority and the County Board, and they contended that the proposed change would only result in increased taxation with no proportionate advantages.

For similar reasons the inhabitants of the Fortwilliam District objected to the proposal of the Corporation, and they held that though it might be to the interests of the Borough to include them, still, the interests of the borough should not be made paramount to the interests of the persons living outside.

They further complained that the Corporation had excluded from the proposed new boundary the poor and populous part of this district which really stood in need of sanitary supervision and improvement, but they had included a number of private houses and grounds which required no improvement, and where the residents considered that they had every essential in the way of sanitation that the district required. Another objection to the extension raised in this district was, that in Fortwilliam Park the owner had bound himself to keep in repair the roadway and sewers, and that on the faith of that contract the occupiers had taken the premises; therefore, if this district is included in the new boundary the occupier would be liable for the cost of maintaining what was undertaken by the landlord.

The extension which we propose is shown on the Map annexed to this Report, but, as it is on a small scale, we give a description of it in detail as follows:—

The proposed boundary would commence at the lighthouse on the north end of Twin Island East, and run thence eastward in a straight line to the point where the boundary between the townlands of Knockragoney and Ballymaghan meets the shore line on the County Down side of Belfast Lough; thence along said boundary to the road from Strandtown to Barn End; thence southward along the east side of said road to the north entrance gate of Belmont; thence along the eastern boundary of the townland of Ballycloghan, and the southern boundaries of the townlands of Knock and Mulhaghy to the townland of Ballynacoughy; thence southward along the stream from Bell's Bridge to and along the eastern and southern boundaries of the townland of Ballynasoy to the county boundary in the River Lagan; thence southward along said boundary to Shaw's Bridge; thence along the south side of the road to Trenchmonagh to the western boundary of the townland of Malone Upper; thence northward along said boundary and the boundary of the townland of Malone Lower, to and along the southern boundary of the townland of Ballymurphy to the road from Belfast to Lisburn; thence eastward along said road for one hundred yards, and then northward along a stream to the road from Belfast to Glenary, and along said road to the present Municipal Boundary; thence along said Municipal Boundary till it meets the boundary of the townland of Skegoneill; thence northward along said boundary to and along a line at a distance of 100 yards from and on the west of the Antrim Road, to meet the boundary of the townland of Greencastle; thence eastward along said boundary to the eastern side of the Northern Counties Railway, and then in a straight line to the lighthouse, where it commenced.

The increased area so added to the city would be about 3,112 acres in the County Antrim, and 2,657 acres in the County Down.

By a reference to the extension which we propose for the township of Holywood, it will be seen that it and the proposed extension of Belfast will meet.

The area proposed to be taken into the borough, and from the County Down, may be



described as a suburban district of villa residences, and as such we think it should form portion of the borough on the following grounds:—First, as the inhabitants are daily frequenters of the city, and have all the advantages of the markets, shops, schools, places of worship, parks and places of amusement, they should contribute to the proper maintenance of the streets and roads, and to expenses necessary for ensuring the proper health of the city; secondly, that the arrangements for the safety and health of the district should be under proper control, and that, in our opinion, can only be done by incorporating the district with the borough.

To allow building of any kind to go on in the suburbs of any large town without any control is, in all probability, to create a sanitary problem of very difficult solution in the future, when it will become imperative that it shall be dealt with.

We see no reason for exempting Ballymaconagh. It appeared from the evidence of the agent that the land had been laid out for building, and that the indisposition of the trustees to let hinged on the amount of rent offered. Ev. 1832.

On this land there is a large mill, causing a traffic of about 200 tons weekly to and from Belfast along the roads of the borough, on the edge of which it, with thirty-nine cottages, is situated. Ev. 1835, 1839, 1877, et seq.

With regard to the Strandtown district the formation of a township here is out of the question. It has been already decided that under the existing general law it cannot be formed, while against its formation by private legislation there is the strong opinion expressed by the Committee of the House of Commons—in pursuance of whose Report our warrant was issued—in their Report, dated 2nd July, 1878 (page x.), "that no new township or suburb within a distance of two miles from the limits of any municipality should be allowed to adopt the Act" (referring to the Towns Improvement (Ireland) Act, 1854), "unless the governing body of such municipality had declined an application from the ratepayers of such suburb to be included in their district."

The Guardians of Belfast Union, who, as rural sanitary authority, have sanitary charge of the district, came to a resolution on October 7th, 1879, to request the Local Government Board for Ireland to form the United District referred to above. Ev. 1839.

It was stated (though no evidence was given on the point) that the Guardians considered they were not the fit authority to make building and sanitary by-laws—at any rate, they have not exercised their power of making such by-laws. Ev. 1899.

In our opinion, the suggestion of a "United District" would not meet the case. Even if the view taken by counsel for the opponents of extension of the borough be correct, that such a district can be formed, its powers would be very limited, and would not, we think, include a power to light the roads, nor take charge of their maintenance and repair.

Counsel admitted that if the district could not be formed into a township or a "United District," so as to enable the district to be improved, they should be brought under the control of the Town Council. Ev. 1948.

Application was made on behalf of the owners of the townlands of Knock, Strandtown, and Ballycloghna, that, as the leases in those townlands were for terms of one thousand or ten thousand years, an alteration should be made in the operation of the 94th Section of the Belfast Borough Act of 1875 to prevent taxes falling on them. We draw attention to this, but do not recommend any such amendment. Ev. 2872, 2890, 3048, +1 & 43, Viz., c. 150.

With regard to the proposed extensions in Malone, Upper and Lower, and Fortwilliam and Chichester Parks, we consider that the same reasons exist. There is a difference in respect of some of Malone Upper not being building ground, but there are sanitary reasons for its being included. Our observations above as to absence of control over building in a suburb, applies specially in the case of Malone Upper, where the future sanitary difficulty which we have alluded to is likely to occur.

It is stated that Marlborough Park will soon require lighting, and the fact that the houses in this district usually have lamps at their entrance gates is not of much importance, as it appears that the lamps are only lighted when the owners "have company." Ev. 4124, 3808, 3444, 3433.

The letting value of the building sites varies from £20 to £25 an acre in Chichester Park, £18 an acre in Osborne Park, and £30 in Marlborough Park. Ev. 3076, 3733, 3812.

It was attempted to be shown by an ingenious calculation, that the unbuilt on portion of the present borough is sufficient to provide for future building for sixty-four years; but we do not attach importance to this, as the fact is that, notwithstanding this, building is rapidly going on in the suburbs which we propose to include in the borough. Ev. 1987, 3033, 2328, 2530, 2448, 2516, 2708, 2828, 2841, 3095, 3001, 4037, 1230, 2344, 2325, 2080, 2842, 2870, 3025, 3632.

Among all the opponents a strong feeling of impatience of any control of any kind over their building operations, or the arrangement of their property for such operations, was exhibited, and by some a dread of the powers which the Town Council would have being exercised in a tyrannical manner, was evinced.

It has not been alleged, however, that the Town Council have so exercised their powers over the 5,021 acres brought in in 1853, and besides, should they attempt it, there is a competent tribunal to appeal to. We cannot help thinking that the feeling at the bottom is a dislike of any control, and that the frequent suggestions of unfair treatment by the Town Council were made to elicit partisan sympathy against extension. It was advanced as an argument against extension that the wishes of those to be taken in should be paramount. We have elsewhere shown that this is a mistaken view. In one case stress was laid on the fact that the part to be included was constituted a different drainage area. We do not attach any weight to this—all large cities must embrace districts, the sewerage system of which must be independent of each other. The Belfast Act makes provision for such cases; of the cost of sewerage a district, one-third is borne by the borough at large, one-third by the district benefitted, and the remaining third by owners of premises fronting the sewers.

We do not think the extension should be exempted from contributing to the expense of a main drainage scheme, even supposing the cost of such a scheme to be £200,000. If the money be borrowed in the customary manner it would be met by an initial rate of 6d. in the £; an Act of Parliament would, we suppose, be necessary, and the proper apportionment of the expense would be made. We think there should be differential rating for the purpose, though no exemption.

We have not lost sight of the recommendation of the Committee, that if possible every town except Dublin should be included in one Poor Law Union.

The extension proposed by us in Upper Malone would bring in part of the Liban Union.

If, on consideration, the disadvantage of portion of a second union being within the borough be found to be of sufficient importance (on which point we offer no opinion) to warrant a readjustment of the Poor Law boundaries, the views of the Committee would be met by including the Upper Malone extension in the Belfast Union. This, however, would necessitate the inclusion of the whole of the townland of Upper Malone, and bring in the portion which we have not considered it right to add to the borough.

Belfast is divided into five wards as settled by Captain Gilbert in 1853. The wards are as follows:—

Wards.	Surgeons.	Valuation.	House.
Dock Ward, . . . . .	1,005	100,070 10 0	5,758
St. Anne's Ward, . . . . .	1,320	116,723 3 0	6,881
Smithfield Ward, . . . . .	604	75,013 10 0	6,500
St. George's Ward, . . . . .	1,041	118,107 10 0	7,973
Crossac Ward, . . . . .	1,701	97,092 5 0	9,356

The Corporation followed up their proposition of an extension, as above described, by the proposal of increasing the number of wards by one, at the same time rearranging them. We need not go into the details of this proposed rearrangement as the proposition that the borough when extended should be divided into six wards was abandoned by the Corporation, who submitted a revised scheme for a division into eight wards. The details of the proposed division into six wards will be found in the evidence.

It appears to be impossible to make the wards continuous with the existing wards for Poor Law purposes. Whether this desirable coincidence of boundaries could be obtained by an alteration of the Poor Law wards we did not feel warranted in investigating, nor would there be much use in so doing until the rearrangement of the wards is definitely determined.

In their revised scheme the Corporation propose eight wards, which have been laid out on the principle of the divisions radiating from a common centre near the Queen's bridge over the River Lagan.

The proposed wards are:—

Wards.	Surgeons.	Valuation.
No. 1. York Ward, . . . . .	250	73,705
No. 2. St. Anne's Ward, . . . . .	1,066	81,481
No. 3. Smithfield Ward, . . . . .	757	86,814
No. 4. Donagall Ward, . . . . .	430	73,193
No. 5. St. George's Ward, . . . . .	672	73,311
No. 6. Crossac Ward, . . . . .	1,328	75,414
No. 7. Ormeau Ward, . . . . .	600	56,012
No. 8. Dock Ward, . . . . .	461	65,754

YORK WARD would be bounded on the west by Corporation-street, York-road, and Carrickfergus-road, and on the south by High-street, and on the east by Skipper-street, Hill-street, Robert-street, Academy-street, Curtis-street, York-lane, Antrim-road, and the Cave Hill Turnway.

ST. ANNE'S WARD would be bounded on the east by York Ward, and on the south by High-street, Bridge-street, North-street, Old Lodge-road, and Cromlin-road.

SMITHFIELD WARD would be bounded on the north by St. Anne's-road, and on the south by Castle-place, Castle-street, Mill-street, Davis-street, Fall's-road, North Howard-street, Ashmore-street, Cupar-street, and the Springfield-road.

DONEGALL WARD would be bounded on the north by Smithfield Ward, and on the east by Victoria-street, and on the south by Police-square, George's-lane, Chichester-street, north side of Donegall-square, Wellington-place, Upper Queen's-street, Howard-street, College-street, South Grosvenor-street, Richmond-street, the road to the Lunatic Asylum, Fall's-road as far as Blackstaff-lane, and the road south of Beechmount House.

ST. GEORGE'S WARD would be bounded on the north by Donegall Ward, and on the east and south-east by Montgomery-street, Sussex-place, Franklin-street, Linen Hall-street, Dublin Old-road, and the new Malone and Lisburn-road.

CROMAC WARD would be bounded on the north-west by St. George's Ward, and on the east by Great Edward-street, Cromac-street, and Ormeau-road to the municipal boundary at Newtownbreda on the county Down side of the borough.

ORMEAU WARD would be bounded on the west by Donegall Ward and Cromac Ward, on the north by Ann-street, Queen's Bridge, Bridge End, and Newtownards-road.

DOCK WARD would comprise the rest of the borough being bounded in the county Down on the south by Ormeau Ward, and in the county Antrim on the south by Ann-street, and on the west by Victoria-street, Corporation-street, York-road, and Carrickfergus-road.

The whole number of persons paying rates on valuations over £8, would be 12,333, and about one-half of this number would have a right of voting for the Municipal representatives. Ev., 4532.

The object which the Corporation had in view in adopting the principle of making the ward boundaries radiate, as nearly as possible from a common centre, was that each ward should comprise an urban and a suburban portion, it being considered that both classes of voters could thus better make their views felt.

In laying out the exact boundaries above indicated, regard was had more to the equality of the valuation than to the number of burgesses in each ward, a principle which, it was contended by the opponents of this scheme, was erroneous. Ev., 4836.

The Corporation expressed themselves quite satisfied with the smaller number of wards first proposed, but as there seemed to be a general wish for some increase they made the proposition of eight wards, but they objected to any further increase in the number.

Alderman Hazlett expressed his views, and we take them as those of the majority of the Corporation, that the number of wards was purely a matter of opinion, in forming which, the size of the town, the convenience of the voters, and the general wants of the town should be considered. He thought that too great a sub-division would lead to manipulation that would lead to an incorrect representation of the constituencies. Ev., 4936.

Mr. Henry, r.c., expressed his opinion that small wards would prevent independent men from getting in. Ev., 5068.

This scheme of the Corporation for a division into eight wards, with six representatives in each, was opposed by the Belfast Water Commissioners, and the Guardians of Belfast Union, who advocated the number of fifteen wards, and increases to ten or twelve were advocated by some of the witnesses.

The Belfast Water Commissioners consider that the number of wards should be fifteen, with two Town Councillors and one Alderman to each, and they submitted a plan laid out by their engineer, Mr. Macassey, showing how their views could be carried out. Six of the proposed wards are purely urban, seven are almost entirely suburban, and the remaining two contain each an urban and a suburban portion. This proposition only deals with the present area of the city. Ev., 4618.

The late Mr. Rea, solicitor to the Water Commissioners, contended that the number of burgesses in each ward should not be more than about 400, and in support of his view referred to the average numbers in the wards of Dublin, Cork, Limerick, and Londonderry. Ev., 4753  
4764.

- Ev., 4813. The wards proposed by Mr. Macnassay would have voters varying from 313 to 503 in the urban wards, and from 450 to 222 in the suburban wards. The valuation in the case of the urban wards would vary from £36,377 to £28,032, and of the suburban wards from £43,862 to £16,356.
- Ev., 4821. Mr. Macnassay is of opinion that too much importance should not be attached to valuation, and submitted his proposition as a kind of compromise.
- Appendix No. 16. The Guardians of Belfast Union, represented by their solicitor, Mr. Charles H. Ward, advocated a subdivision into fifteen square wards (whether the present area be increased or not) of size as nearly equal as possible, and so bounded as not to contain more than 400 voters each, and to enable the voters in each ward, without much inconvenience, to vote at one central polling place in the ward.
- No map was submitted showing how such an arrangement could be carried out, and it appears to us that it would be impossible to devise a scheme combining equality of areas with that of numbers of voters, and at the same time uniformity of shape. Any attempt to carry out these principles would utterly set at naught any regard being paid to the valuation of the property from which the rates are derived, rates which the representatives of the wards are trustees for the administration of.
- Ev., 4806. Mr. Gaffikin, Town Councillor, was of opinion that there should be twelve wards, with three Councillors and one Alderman to each.
- Ev., 4918. Mr. Harvey proposed a division into ten wards, and pointed out that in large towns people of particular views aggregate in particular districts, and that the more the town was subdivided into wards the better chance there would be of each class of opinion being represented, adding, however, that he would not subdivide any ward with such an object.
- Mr. Young submitted a scheme, with a map, of a division of the extended area as proposed by the Corporation into fifteen wards, one of which would be urban and central on the Antrim side of Queen's-bridge, nine would radiate therefrom and be partly urban and partly suburban, and five altogether suburban. He also submitted another map showing a division of the present area into ten wards, one central and urban, as in his former plan, and nine partly urban and partly suburban, each abutting on the central ward and radiating therefrom. No information as to the distribution of burgesses or valuation was given to us with either of these plans.
- Ev., 4779. Application was made on behalf Sir Thomas McClure, that in any arrangement of wards, Stranstown, of which he is the owner, should be kept separate and distinct, and a map was submitted showing how, if the extension proposed by the Corporation on the county Down side were adopted, it could and should be divided into two wards in the event of the entire number of wards being fifteen.
- Great stress was laid by the advocates of a division into fifteen wards on the alleged universal desire of the citizens for such an extension of the number of wards, but that such was the case was distinctly contradicted by two witnesses, and we are of opinion that the alleged feeling outside the Town Council was greatly exaggerated.
- Ev., 5028, 5063. One witness said that justice will never be done to all religious persuasions, except the wards are increased to fifteen. We believe that it is this opinion and the hope that the greater subdivision of wards would enable them to be manipulated for party purposes rather than with any view to the better administration of the affairs of the city, or the general welfare of the inhabitants, that gives rise to the desire for fifteen wards, supposed to exist among the ratepayers generally. Such effects of a re-arrangement of the wards we think should not be taken into consideration by us.
- The Guardians of Belfast Union—who urge the formation of fifteen wards—assign no reason whatever for their coming to the resolution to that effect, nor is there any such reason to be found in the evidence of their solicitor, who confined himself simply to handing in the resolution.
- Ev., 4966. The Water Commissioners, who are elected from the present wards, three from each, would prefer fifteen wards, one commissioner to be elected from each, and they object to the division into eight wards as inconsistent with the number of their body.
- Ev., 4618. It is not, we consider, our duty to deal with the constitution of that body, but we may point out that such difficulty might be solved by an alteration in the number of the Water Commissioners.
- Ev., 4989. One witness appeared before us to advocate the principle of cumulative or minority voting, but the Chairman decided that we should not go into that question.
- Ev., 4979. The Chairman indicated at one point of the proceedings, that his then present view, based on the evidence of Mr. Gaffikin, Mr. Young, and Mr. Harvey, was that the number of wards should be increased to ten. We had not any opportunity of discussing the question with him before his decease, and have therefore to arrive at a conclusion from the evidence alone. Though giving every weight to such an expression of opinion

by our late Chairman, on a review of the whole evidence, we recommend the adoption of a division into eight wards, on the principles, and as nearly as possible on the lines laid down by the Corporation, adapting them to the extensions of area proposed by us. Ev. 4979.

We consider that a fair consideration is given by such a scheme to the number of voters and valuation, to both of which such consideration is due, that each ward will contain, as we think desirable, an urban and suburban element, that the number of voters in each ward will not be excessive, and that it affords reasonable convenience to the burgesses.

If the extension recommended by us, or any modification thereof be determined on, and if our recommendation now made as to the wards be adopted, the details can then be gone into and the exact boundaries defined, but we think it would be premature, at present, for us to go into such details involving great labour and expense, or to submit a map thereof.

(Signed),

CHARLES P. COTTON.

(Seal.)

H. A. ROBINSON.

(Seal.)

Vern St. Leger Gould, *Secretary*.

June 27, 1882.

# APPENDIX.

## CORK.

### APPENDIX No. 1.

Whereas, at an Assizes held in and for the county of Cork, on the 14th day of March, 1842, the Honorable Robert Torrens being the Senior Justice of Assize for said county, and on the application of the Council of the borough of Cork, did, pursuant to the statute in such case made and provided, appoint by writing under his hand, Thomas Rice Hean, esq., Barrister-at-Law, to arbitrate certain debts between the barony of Cork, lately part of the county of the city of Cork, and the borough of Cork, and the said arbitration, by his award under his hand and seal, did apportion certain sums of money, to be assessed of said barony of Cork, being the place or precinct not now part of said borough. Now I, George Humphreys, Treasurer of the county of the city of Cork, do hereby authorize and empower John Thomas Wakeham, of Spring Hill, in the county of Cork, esq., to collect, levy, and receive the several and respective proportions of the public money mentioned and set forth in the foregoing schedule, amounting to the sum of £12,600 of and from the several and respective tenants, owners, or occupiers of the several and respective divisions of land mentioned and set forth in the foregoing schedule. And in case of non-payment of said several sums, or any parts of them, I do hereby authorize and empower the said John Thomas Wakeham to proceed for the recovery thereof according to law.

Given under my hand and seal of office,  
this 1862.

City Treasurer's Office, Court House, Cork,  
7th July, 1864.

SIR,—In reply to the inquiry which you recently made at this office in reference to particulars of the Liberty debt, I beg to say that the award was made on the 18th April, 1842, and the first instalment was paid in April, 1842. The award was made by Thomas Rice Hean, the arbitrator appointed on the occasion. The amount of the award was £12,600, payable by half-yearly instalments of £200 each, with interest thereon, at the rate of 5 per cent. per annum.

Forty-four instalments, amounting in the aggregate to £8,800, have been paid up to last assizes, and a

sum of £8,800 13s. 8d. has been reserved for interest on the balance from time to time due of the principal up to the same period. The amount now remaining outstanding of the original award is £4,200, which will be paid off in seven and a half years from next assizes, and as the annual interest has now been reduced by payment of so large a portion of the principal, the future levy for instalment and interest cannot exceed 1d. in the pound on the half-yearly levy, and, of course, will be still further proportionately reduced by payment of the half-yearly instalments.

I am, sir, your obedient servant,  
G. HUMPHREYS.

Thomas R. Sanfield, esq., M.P.

City Treasurer's Office, Cork,  
July 31st, 1870.

SIR,—In reply to your inquiry about the Liberty debt, I beg to say that there were fifty-six instalments levied up to and including last March assizes, amounting to £11,200, and the gross amount leviable under the award is £12,600 sterling.

Yours faithfully,  
(Signed), GEORGE HUMPHREYS,  
James Delacour, esq., City Treasurer.  
Treasurer of the County of Cork.

City Treasurer's Office, Cork,  
14th March, 1872.

DEAR SIR,—I find that a sum of £283 15s. 9d. has been over-levied off the barony; of this sum £11 18s. 6d. remain in my hands, for which I beg leave to enclose a cheque. The baronial collectors will also hand you the sum of £271 18s. 1d. now in course of collection, both sums making together £283 15s. 9d.

The Liberty debt is now extinguished.  
Yours very faithfully,  
(Signed), GEORGE HUMPHREYS.

James Delacour, esq., City Treasurer.  
County Treasurer.

### APPENDIX No. 2.

#### REPORT OF THE COMMITTEE.

The Committee beg to report to the Grand Jury that having heard the evidence brought before them concerning the proposed change of the boundaries of the Barony of Cork, they are strongly of opinion that any change would be injurious to the interests and a serious loss to the revenues of the county at large, and the Barony of Cork in particular; and should any change be made in the area of the Barony of Cork it will be incumbent on the Grand Jury to demand the repayment of considerable compensation from the city. And they are furthermore of opinion that as at the

meeting held in Cork by the Borough Boundaries Commission the interests of the county were entirely unrepresented, and no evidence was taken of the parties whose interests are affected by the proposed change, that further inquiry should be held by the Commission, and that the Grand Jury appoint a committee to collect evidence and maintain the interests of the county before the Commissioners.

Approved,  
D. R. F. SANFIELD, Foreman.  
Spring Assizes, 1872.

### APPENDIX No. 3.

Clerk's Office, Workhouse,  
Cork, 10th January, 1879.

SIR,—I am directed by the Board of Guardians of this Union to transmit for the information of the Municipal Boundaries Commissioners the enclosed copy of a resolution passed at the Guardians' meeting on yesterday.

I have the honour to be, Sir,  
Your most obedient servant,  
P. McGRATH, Clerk of the Union.

To VICE ST. LEGER GOULD, esq., Secretary,  
Municipal Boundaries Commission.

#### COPY OF RESOLUTION OF THE BOARD OF GUARDIANS, Cork Union.

RESOLVED—That it is most desirable to have the Workhouse premises included within the Borough boundary; that a copy of this resolution be sent to the Commissioners of Inquiry, now sitting, requesting that they will further the wishes of the Board in the matter.

## BELFAST.

APPENDIX No. 1, p. 46.

## BOROUGH OF BELFAST.—VALUATIONS OF WARDS.

	No. of Houses	Land.	Buildings	Total
		£ s. d.	£ s. d.	£ s. d.
Dock Ward, . . . . .	1,003	1,061 10 0	96,379 0 0	103,670 10 0
St. Anne's Ward, . . . . .	1,390	1,538 0 0	114,183 5 0	115,723 5 0
Smithfield Ward, . . . . .	664	1,535 0 0	70,478 10 0	72,013 10 0
St. George's Ward, . . . . .	1,641	2,209 5 0	115,865 5 0	118,107 10 0
Cromac Ward, Co. Antrim, . . . . .	1,791	566 10 0	56,145 15 0	57,552 5 0
Sydenhams and Ballymacarrett, Co. Down, . . . . .	—	5,545 0 0	45,683 10 0	45,627 10 0
Total Valuation of Borough, . . . . .	—	9,815 5 0	345,379 5 0	355,194 10 0

Town Hall, Belfast,  
2th August, 1879

APPENDIX No. 2, p. 46.

BOROUGH OF BELFAST.—STATEMENT showing PARTICULARS of TAXATION and how APPLIED.  
WITHIN THE LIGHTED AND WATCHED DISTRICTS.

Name of Rate.	Local Act.	Taxing Power.	Rate Levied in 1878.	Amount of Rates Levied.	Application of Rates.	Collection of all Rates.	Rate and Cost of Collection.	Observations.
				£ s. d.				
Police Rate, . . . . .	10th & 11th Vics., cap. 342 (1846) 10th & 11th Vics., cap. 304 (1851) 10th & 11th Vics., cap. 324 (1847) 10th & 11th Vics., cap. 308 (1855) 10th & 11th Vics., cap. 314 (1858) 10th & 11th Vics., cap. 322 (1854) 10th & 11th Vics., cap. 310 (1852)	Maximum to be in the Pound on Valuations not exceeding 400 Maximum to be in the Pound on Valuations exceeding 400.	1st. In the Pound on Valuations not exceeding 400 1s. 10d. in the Pound on valua- tions exceeding 400.	57,371 s. 2	Payment of Con- stabulary, Light- ing, Interest on and Repayment of Loans, Miscellaneous Charges, &c.	45 per cent. of all Rates was collected in 1878. 500 per cent. was allowed for discount on Ratings valued at 4s and under for Rates paid in Janu- ary, February, March, &c.	Five Col- lectors, one for each ward, who receive 1s. per cent. of amounts collected.	Landlords rated up to 2s. and dis- count of 40 per cent. al- lowed if paid within a month.
General Purpose Rate, . . . . .	10th & 11th Vics., cap. 340 (1846) 10th & 11th Vics., cap. 317 (1849) 10th & 11th Vics., cap. 305 (1857) 10th & 11th Vics., cap. 310 (1852)	Maximum to be in the Pound.	1s. 10d. in the Pound.	54,711 s. 0	Expenses and Re- covery of Rates. Portion of Cost of Constabulary, Contributions to Commissary of An- trim and Down, Interest on and Repayment of Loans.	200 per cent. was allowed at end of 1878.	—	Same as above.
Borough Rate, . . . . .	Municipal Corpora- tion Act, and Public Parks Act.	Maximum to be in the Pound. Maximum for Parks 4d.	4d. in the Pound, which includes 4d. per Pound for Parks.	12,228 s. 0	Salaries of Muni- cipal Officers, Ex- penses of Borough Hall and Kin- dness, &c. Main- tenance of Parks and Sanitary Ex- penses.	—	—	Landlords rated up to 2s.
Sanitary Rate, . . . . .	10th & 11th Vics., cap. 313 (1854)	—	1d. in the Pound.	2,151 s. 0	Repayment of Loans and Inter- est thereon.	—	—	Landlords rated up to 2s. This is the Sanitary Rate which is to be repaid.

## ON ALL PROPERTY NOT LIGHTED AND WATCHED.

General Purpose Rate, . . . . .	As above noted.	Maximum 1s. 10d. in the Pound.	1s. 10d. in the Pound.	54,711 s. 0	As above noted.	—	—	As above noted.
Borough Rate, . . . . .	Do.	As above noted.	As above noted.	12,228 s. 0	Do.	—	—	Do.
Sanitary Rate, . . . . .	Do.	Do.	Do.	2,151 s. 0	Do.	—	—	Do.

## DRAINAGE DISTRICTS.

District Sewers Rate, . . . . .	10th & 11th Vics., cap. 310 (1852) 10th & 11th Vics., cap. 317 (1849) 10th & 11th Vics., cap. 310 (1852)	—	Cranford and Old- park Roads Dis- trict, 4d. in the Pound. Antrim-road Dis- trict at 4d. in the Pound. Newtownards-road District at 4d. in the Pound. Windmill district at 4d. in the Pound. Longwood Dis- trict at 1s. in the Pound.	137 s. 0 508 s. 12 403 s. 7 104 s. 0 141 s. 0	Amount required for payment of interest, and Sinking Fund for Repayment of Loans.	—	—	Landlords rated up to 4s. and dis- counted at 4s. above noted.
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## APPENDIX No. 3.

## BOROUGH OF BELFAST.

STATEMENT showing the TOTAL AMOUNT of MONEY BORROWED by the CORPORATION under the powers of their several Local Acts, AMOUNT PAID OFF, and the AMOUNT now DUE.

	Total Amount Borrowed.	Paid off.	Now Due.
<b>ON PUBLIC RATE ACTS, 1845 and 1846:</b>			
Primary Mortgages, . . . . .	£ 193,378 13 2	£ 93,136 13 2	£ 104,190 0 0
<b>Award Act, 1854:</b>			
Secondary Mortgages, . . . . .	115,561 19 6	95,761 19 6	25,300 0 0
James Keyland, Purchase-money, . . . . .	980 0 0	980 0 0	—
Total on Public Rate, . . . . .	312,438 5 8	189,848 5 8	129,450 0 0
<b>ON GENERAL PURPOSES RATE ACT, 1873:</b>			
For one-third Cost of Antrim-road District Sewers, . . . . .	3,800 0 0	2,650 0 0	1,300 0 0
For one-third Cost of Newtownards-road District Sewers, . . . . .	4,119 0 0	1,925 12 11	4,192 7 0
Paid, . . . . .	43,576 18 8	—	—
Less Interest on principal to 1st May, '79, . . . . .	690 5 9	—	—
Paid off, . . . . .	£1,925 12 11	—	—
For one-third Cost of Windsor District Sewers, . . . . .	3,000 0 0	100 0 0	2,900 0 0
For Permanent Paving of Streets, . . . . .	19,800 0 0	3,800 0 0	15,925 0 0
For Street Improvements under Act, 1873, . . . . .	4,750 0 0	—	4,750 0 0
Total on General Purposes Rate, . . . . .	27,350 0 0	3,565 12 11	28,962 7 0
<b>ON BOROUGH RATE:</b>			
For Artisans' Dwellings, under Belfast Improvement Scheme, 1877. Loan, £12,000, . . . . .	—	—	—
For Public Baths and Wash Houses. Loan, £3,900, . . . . .	—	—	—
Received on Account, . . . . .	3,000 0 0	—	3,000 0 0
For Public Parks, under Act of 1869, . . . . .	4,000 0 0	300 0 0	3,700 0 0
Total on Borough Rate, . . . . .	4,000 0 0	300 0 0	3,700 0 0
<b>ON BRISTOL RATE, UNDER ACT OF 1846:</b>			
For Purchase and Completion of Cemetery, . . . . .	21,000 0 0	20,400 0 0	4,000 0 0
<b>ON DRAINAGE DISTRICTS, UNDER ACTS 1863 and 1868:</b>			
Crescent and Old Park Roads District Sewers Rate, . . . . .	1,300 0 0	1,170 0 0	130 0 0
Antrim-road District Sewers Rate, . . . . .	2,990 0 0	2,316 0 0	1,544 0 0
Newtownards-road District Sewers Rate, . . . . .	4,119 0 0	1,925 12 11	4,192 7 1
Paid, . . . . .	£2,576 18 8	—	—
Less Interest on principal to 1st May, '79, . . . . .	690 5 9	—	—
Paid off, . . . . .	£1,925 12 11	—	—
Windsor District Sewers Rate, . . . . .	3,000 0 0	100 0 0	2,900 0 0
Total on Drainage Districts, . . . . .	602,346 5 8	234,727 11 6	177,538 14 2
<b>ON GAS WORKS, UNDER ACT OF 1874:</b>			
Mortgages, . . . . .	£403,754 0 0	—	—
Amount of Purchase-money received for Perpetual Annuities, . . . . .	23,545 14 11	—	—
Total of all Monies Borrowed, Paid off, and now Due, . . . . .	470,999 14 11	15,126 0 0	451,943 14 11
	873,345 0 7	263,683 11 6	609,362 9 1

## APPENDIX No. 4, p. 68.

To the Municipal Boundaries Commissioners.

Whereas Richard William Blackwood Ken, Esq., is tenant for life, with remainder to his issue in tail male, in fee of the lands of Ballyniscart, portion of which it is proposed by the Belfast Town Council should be taken into the borough of Belfast.

That Ballyniscart is principally occupied as agricultural land, and slopes from the top of Bunkers Hill towards Hollywood.

That Ballyniscart is quite separate and distinct from any of the other lands proposed to be taken into the borough, the other lands sloping from Bunkers Hill towards Conswater and Belfast, so that any sewerage system for Ballyniscart must be separate and distinct from the other lands.

That there are only a comparatively small number of houses on this property.

That they principally consist of rural villas, with lands and gardens attached, and it is not of the character of a town.

That there is no necessity for watching or repairing of the roads further than what is enjoyed in connection with the Grand Jury of the county of Down; nor is there any necessity for interference by the borough of Belfast to force lighting or sewerage on Ballyniscart, which cannot be amalgamated with the borough sewerage system of Belfast.

I object and protest against the borough of Belfast being extended so as to include this rural district of Ballyniscart, or to amalgamate it with other lands



which from the natural formation and contour of the country must be perfectly distinct in any sewerage system.

That I submit that the borough of Belfast should not be extended beyond Carravon, and if extended at all I submit that it should not extend beyond the high land of Bunkers Hill, and should not include the lands of Ballymure or any portion of them, which as I submit are perfectly separate and circumstanced differently from any of the other lands.

That I consider and submit, in case the Commissioners should report in favour of any extension, that the area to be taken should be protected against the heavy debt that now exists charged on the borough of Belfast.

That the powers of rating should be limited to the expenditure within its own area, and that it should not be liable to pay towards expenditure within the present borough.

That provision should be made that the owner liable

to be rated for taxes should be defined to be the party immediately interested in the development and improvement of the land for a term of not less than 99 years, and that it should not be within the power of any town council to raise a superior landlord, having merely a rent without any prospective increase or interest from the improvement of such holding.

I pray that the Commissioners may be pleased to consider this memorial, and inspect the premises and hear the evidence to be brought forward in support of this application, and that they may be pleased to report that no part of the lands of Ballymure should be included in any extension of the borough of Belfast they may deem right to sanction.

Dated 5th of August, 1879.

CRANFORD and LOCKHART,  
on behalf of  
RICHARD WILLIAM BLACKWOOD KER.

## APPENDIX No. 5, p. 68.

To the Municipal Boundaries Commissioners.

Robert Edward Ward, of Bangor Castle, in the county of Down, Esq., is the owner in fee of part of the lands of Ballycloghan, in the county of Down, which the Belfast Town Council have proposed to take into the borough of Belfast. It is principally occupied as agricultural land. There are only a small number of houses on this property, and these principally consist of rural villas, with lands and gardens attached, and it is not of the character of a town. That there is no necessity for watching, lighting, or repaving of the roads further than is enjoyed in connection with the Grand Jury for the county of Down. My Ward objects, and protests against the borough of Belfast being extended so as to include this rural district or to amalgamate it with other lands for sewerage purposes which would entail heavy expense without any necessity so far as Ballycloghan is concerned. That he objects to the extension of the borough of Belfast at all beyond Carravon, and if extended, he protests against including the said lands of Ballycloghan. That he considers, and submits that even if at all extended the area to be taken in should be protected against the heavy debts that now exist charged on the present

borough of Belfast. That these lands do not derive any benefit from the park of Belfast borough, and should not be rated thereof, and it would be unreasonable to tax these lands with general rates to be expended in the present borough of Belfast, and these lands do not require the Belfast cemetery which is the opposite side of Belfast, and should not be taxed for it, besides having ample accommodation in the immediate neighbourhood. That the powers of rating should be limited to expenditure within its own area, and that it should in no way be liable to pay towards expenditure within the present borough of Belfast. That the owner liable to be rated for rates should be defined to be the party immediately interested in the development and improvement of the land. And he prays that the Commissioners may be pleased to inspect the premises and hear evidence to be brought forward in support of this memorial, and to report that the lands of Ballycloghan should be excluded from any extension of the borough of Belfast.

CRANFORD and LOCKHART,  
Solicitors for  
ROBERT EDWARD WARD.

## APPENDIX No. 6, p. 111.

Memorial to the Municipal Boundaries Commissioners.

GENTLEMEN.—We the undersigned owners, lessors, and occupiers of the several townlands, viz.—Strandtown, Ballymure, Knock, Ballyblackmore, Ballycloghan, and Ballymure, in the county of Down district in public meeting (convened by placard and advertisement), assembled on 29th July, 1879, have heard with surprise that a scheme is in contemplation by the Town Council of Belfast to promote the extension of the borough boundaries, so as to include these townlands, or a part of same. We beg respectfully to intimate that such a measure is entirely opposed to our wishes, and will be met by our united and most strenuously opposed efforts, we believing such a scheme to be wholly uncalculated for and highly prejudicial to our interests, as well as being calculated to work great injustice to us who reside in a purely rural district.

Without entering into the merits of the proposition for the extension of the boundary of Belfast we respectfully submit that the above district is entirely and purely a rural one situated at a considerable distance from Belfast, and completely separated from it by the Carravon River, and their proximity is not such that the said district can be properly looked upon as even enter suburbs of the town. It would therefore, in our opinion, be an unreasonable and arbitrary

attempt, on the part of said Town Council, to attempt to incorporate any portion of said district within the borough boundaries, thereby subjecting them to the local taxation and liabilities of the town, besides the population is small and greatly scattered in the said district, and the property is chiefly villas or mansions owned by Belfast metropoles situate in private grounds with considerable land attached to them.

A large portion of said district is used for farming and grazing, and from the sparse and scattered population, and the necessarily slow progress made in the erection of buildings, it is most likely to continue a rural district for many years to come, and without requiring any further or other sanitary requirements than those at present provided under the Public Health's Act, which, in our opinion, are ample and satisfactory if efficiently and properly administered.

We therefore enter our strongest protest against the extension of the boundary of Belfast to said district.

We have the honour, Gentlemen,  
to remain yours very obediently

JOHN BLACKTON HUTTON.

Chairman of the Public Meeting held at Belmont School-house, on the 29th of July, 1879.

JOHN DUNN, Sec. pro tem, and  
122 owners, occupiers, and metropoles.

## APPENDIX No. 7, p. 128.

To the Municipal Boundaries Commissioners.

We the undersigned owners and occupiers of houses and farms in the townland of Knock, regard with surprise and alarm the proposal to extend the borough boundary of Belfast so far as to include this townland. Memorialists are of opinion that such an act would create serious injury to this district while it could bring no real benefit to the borough, and unanimously protest against the proposed extension for the following reasons:—

1. This district is almost entirely an agricultural one. The total acreage being 258 to a population of 120 or under one person to the acre—about 160 acres of this being held by only four persons.

2. It is at present under the control and supervision of the Grand Jury of the county Down, and of the sanitary board, and it is quite competent for these authorities to administer the necessary laws of protection and health required by this district.

3. The townland of Knock from its elevated position and distance from Belfast, being from two and a-half to three and a-half miles, cannot participate advantageously in any sanitary scheme in connection with the vested sewage question of Belfast, but on the contrary, would be outweighed by having to bear an undue share of the present and future liabilities of the borough.

4. The borough rules regulating buildings and sanitary arrangements are not applicable to a district like this where the houses are so widely scattered.

5. Judging from the sadly neglected state of Ballymasarett and other places lately acquired, we are warranted in saying that the absorption of this district is being prosecuted, not with a view to our welfare, but simply as an extended field for raising taxes.

Signed by JAMES HENON, Dundale Mains, Knock,  
and 10 owners and occupiers.

## APPENDIX No. 8, p. 128.

To the Municipal Boundaries Commissioners.

We the undersigned owners and occupiers of houses and farms in the townland of Ballycloghan, regard with surprise and alarm the proposal to extend the borough boundary of Belfast so far as to include this townland. Memorialists are of opinion that such an act would create serious injury to this district, while it could bring no real benefit to the borough, and unanimously protest against the proposed extension for the following reasons:—

1. This district is almost exclusively agricultural or occupied by villas having considerable quantities of land the acreage being 544 to a population of 650.

2. It is at present under the control and supervision of the Grand Jury of county Down and of the sanitary board, and it is quite competent for these authorities to administer the necessary laws of protection and health required by this district.

3. The townland of Ballycloghan from its elevated

position and distance from Belfast, being from two and a-half to three and a-half miles, cannot profitably participate in any sanitary scheme in connection with the vested sewage question of Belfast, but on the contrary, would be outweighed by having to bear an undue share of the present and future liabilities of the borough.

4. The borough rules regulating buildings and sanitary arrangements are not applicable to a district like this where the houses are so widely scattered.

5. Judging from the sadly neglected state of Ballymasarett, and other places lately acquired, we are warranted in saying that the absorption of this district is being prosecuted not with a view to our welfare, but simply as an extended field for raising taxes.

Signed by  
JAMES M. COLVILLE, Ballycloghan,  
and 24 owners and occupiers.

## APPENDIX No. 9, p. 129.

To the Municipal Boundaries Commissioners.

The Memorial of the undersigned residents and proprietors in the townland of Strandtown.

Sheweth—That the proposal submitted to you by the Town Council of Belfast to bring in this townland under the regulations, and subject to the same taxation as the borough of Belfast, would be unjust and oppressive.

That this townland is quite separate from the town, and does not adjoin the borough boundary—the townland of Ballyhackamore intervening—and that it is nearly all held out in villas, a small part only being occupied by the village of Strandtown.

That when the majority of the inhabitants sought to make the district into a township, it was to supply at a very moderate cost the limited requirements of a district of that character.

That the suggestion that the district, until declared lighted and watched, would not be subject to much greater charge than the present County Oss, is entirely misleading, because, to the limit of 2s. 4½d., the Town Council could at any time, by declaring it lighted and watched, add 3s. 11½d., and that additional rate, whether imposed or merely impending, would be most injurious to property, and prevent improvements.

That if all the roads were maintained, contribution to county at large, and lighting and watching be provided, a rate of 3s. would be more than sufficient.

That to impose the power of the Town Council to order the roads and footways to be constructed in a similar manner to the streets of the town, would go far to confiscate the property of the people.

That owing to the natural position of this townland its drainage could never be incorporated with the drainage system of Belfast, and therefore all expenditure for the sewerage of our district should be kept quite separate, and the inhabitants should only bear the burden of that expenditure.

That to make us liable for the enormous cost of contemplated street and other improvements, including the main drainage scheme, would be most unjust, as we would not participate in the benefits thereof like the bona fide inhabitants of Belfast.

Memorialists therefore pray that you will reject the application of the Town Council for annexation.

Signed by  
JOHN MORAN, Belmont Mains, Strandtown,  
and 25 residents and proprietors.

## APPENDIX No. 10, p. 139.

We, the undersigned owners, lessees, and occupiers in the townlands of Upper and Lower Malona, and district, hereby strenuously present against our townlands being included in the borough of Belfast. We believe our interests would be greatly prejudiced, and a grave injustice occasioned to the inhabitants of

purely rural districts, by such an extension of the borough boundary in direct opposition to our unanimous desire.

T. G. LINDEMAN, J.P., TYRONE HOUSE,  
and 74 owners, lessees, and occupiers.

## APPENDIX No. 11, p. 166.

To the Municipal Boundaries Commissioners, acting under powers conferred by a Warrant of His Grace the Lord Lieutenant, bearing date 31st October, 1878.

Gentlemen.—We, the undersigned householders resident in Portwiffiam and Chickadee Parks and Sheppards District, protest against being brought within the borough boundary, in accordance with the proposed extension scheme, for the following amongst other reasons:—

1. The sanitary arrangements of the district are, on the whole, adequate to the necessities of the inhabitants, and to the demands of public health, except in the matter of the outfall for the sewage from Chickadee Park, and adjacent property abutting on the present Municipal boundary, which can be provided for by putting into force the provisions of the Public Health Act of 1878, and this work can be done at a trifling expense, and the sum to be paid to the borough for this accommodation, will, as provided by the said Act, be settled by arbitration, the Town Council having already permitted sewers from some houses outside the boundary to discharge into one of the Town sewers, a precedent has been created which should render it a simple matter to give a similar consent to this district.

2. The said parks do not require watching or lighting; they are private property expressly laid out for villa residences. The area of this district, as defined by the Borough Surveyor, is 178 acres, and as there are only about 60 houses (besides porter lodges) therein, it shows there is but one house to each 3 acres. To bring the district within the control of the Municipal authorities, would be to alter the character of these places, and ultimately to deprive the residents of the locality of that privacy which was the primary object in view when they were purchasing, leasing, or renting grounds or dwellings.

3. There are special covenants in the leases of Portwiffiam Park binding the landlord to keep the main sewers in good repair at his own expense, and somewhat similar covenants apply to Chickadee Park. If the proposed extension be carried out, the landlords will sooner or later be relieved from the obligations of this covenant, and the burden will be transferred to the lessee who took their leases at rents decidedly higher than what they would have paid without this covenant, and who have expressly provided when making their contracts for exemption from this charge.

4. The main drainage scheme for which Parliamentary powers were sought some years ago, and also the proposed new streets within the present area of the

borough, were devised and planned to meet the exigencies of the borough, with its existing boundaries, and without any reference to the wants or to the convenience of the new districts proposed to be included. It is therefore wholly unfair that the residents of the said district should be called upon to pay for the execution of works not intended or devised for their advantage, or from which they can benefit only in a very slight degree.

5. The Town Council have delayed for nearly twenty years before putting into force many important sanitary powers which were entrusted to them by the Act 1853, and having still, in the present extent of the town, more than they appear able to properly cope with, we consider the time has not arrived when they should have the government of an enlarged area.

6. The residents of the said district are already, with few exceptions, contributing largely to the taxation of the town from their business premises and other holdings, and they respectfully urge that it is both unfair and unreasonable that they should be called upon to make a double contribution for residences which they built, purchased, or rented, for the express purpose of being able to reside beyond the boundaries of the borough.

7. Under all circumstances, whether the inhabitants of the said district be subject forthwith to the whole or only to a part of the borough taxes, they would in either case be taxed without obtaining any corresponding advantage in return.

8. At present the county cess on the said district is 2s. 2d. in the pound, whereas if it were placed under the Town Council, all the lighted and watched portions would be subjected to police rate 1s. 10d., general purposes rate at 2s., borough police and burial rate, at 6d., sewer rate, say at 6d., being a total of 4s. 10d. in the pound, with the prospect of much higher taxes to pay for the gigantic and enormously expensive main drainage scheme, new streets, &c., already mentioned. In addition to this greatly increased taxation, those holding property along the principal roads would very soon be compelled to pay heavily for construction of main sewers, which it is believed the Town Council would shortly construct, although quite unnecessary in consequence of the various houses being now connected with good and sufficient sewers.

Dated this 31st day of October, 1878.

✠ P. DERRIAN, Bishop of Down and Connor,  
Chickadee Park.

ROBERT YOUNG, Rathfriland, Antrim-road,  
and 48 owners and occupiers.

## APPENDIX No. 12, p. 174.

## BOROUGH OF BELFAST.

NUMBERS OF BUILDINGS ERECTED in each year from 1856 to 1878.

Year.	Buildings.	Total.	Buildings.
1856.	174	1868.	1,402
1857.	231	1869.	1,680
1858.	403	1870.	1,011
1859.	578	1871.	1,203
1860.	525	1872.	1,647
1861.	730	1873.	823
1862.	849	1874.	849
1863.	1,433	1875.	979
1864.	1,503	1876.	1,101
1865.	1,542	1877.	1,138
1866.	1,100	1878.	1,453
1867.	1,561		

Valuation of Borough on 1st January, 1878.	£535,328.
Do. do. 1st January, 1869.	£278,807.
Population in Year 1861.	121,600.
Do. do. 1871.	174,384.
Do. do. 1879.	230,000 (supposed).

J. J. MONTGOMERY.

1st December, 1879.

## APPENDIX No. 13, p. 184.

NUMBER OF RATINGS OVER 48 IN PROPOSED NEW WARDS.

Ward.	Rating	Ward.	Rating
No. 1. York, . . . . .	1,901	No. 6. Crossna, . . . . .	2,437
" 2. St. Anne's, . . . . .	2,135	" 7. Ormeau, . . . . .	1,201
" 3. Smithfield, . . . . .	1,234	" 8. Dock, . . . . .	922
" 4. Donagall, . . . . .	1,261		
" 5. St. George's, . . . . .	1,344		
		Total . . . . .	12,733

About 50 per cent. of these numbers would have votes.

## APPENDIX No. 14, p. 185.

VALUATIONS OF PROPOSED NEW WARDS.

Ward.	£	Ward.	£
No. 1. York, . . . . .	72,765	No. 6. Crossna, . . . . .	75,014
" 2. St. Anne's, . . . . .	81,482	" 7. Ormeau, . . . . .	56,092
" 3. Smithfield, . . . . .	86,514	" 8. Dock, . . . . .	65,734
" 4. Donagall, . . . . .	75,163		
" 5. St. George's, . . . . .	73,311	Total . . . . .	329,445

## APPENDIX No. 15, p. 195.

Falls, Belfast, 13th November, 1879.

To the Commissioners for Extension of Borough Boundaries (Ireland) Act.

Gentlemen,—We, the undersigned leasees and occupiers in the townlands of Ballydownfine and Ballymurry, in Falls District, object to our being included in the proposed extended borough boundary, for the following reasons:—

1. This district is purely agricultural, and as the houses are occupied entirely by farmers and their labourers, we do not think it at all necessary, nor for our benefit to be under the control of the Town Council.

2. The land is not naturally suitable for building purposes; and its contiguity to Borough and Milltown Cemeteries has greatly deteriorated its letting value.

3. No houses have been erected during the past twenty years.

4. The extension would include about three hundred acres (exclusive of cemeteries and park), one-half of which is bog-meadow lands, and is flooded during several months of the year.

5. Our roads are well kept, and the sanitary condition will compare most favourably with any district inside the present boundary.

We, therefore, hope you will not extend the borough boundary in this direction, and your petitioners will ever pray.

HUGH KIRKWOOD, No. 74, Falls,  
and also leasees and occupiers.

## APPENDIX No. 16, p. 207.

28th October, 1879.

Moved by Mr. Bea, seconded by Mr. William Ireland, and resolved unanimously:—

1. That Mr. Chas. H. Ward, solicitor, be instructed to appear before the Municipal Boundary Commissioners, at half-past ten o'clock forenoon, on Tuesday, 18th November next, and take all such steps as may then appear to him to be necessary to have the entire municipal district of Belfast (whether the present area be increased or not) subdivided into at least fifteen square wards, of size as nearly equal as possible, and so bounded as not to contain more than four hundred voters each, and to enable the voters, without much inconvenience, to vote at one central polling place in the ward.

2. That Dr. Curry, William Clegg, James R. Christian, James Magee, William Ireland, John Bea, John Morison, and James McMeekin, be appointed as a committee to instruct the solicitor, and also as a deputation to wait on the Town Council at their next

quarterly meeting, on Saturday, the 1st of November next, most respectfully and earnestly to urge that the Belfast Municipal Corporation should heartily join with the Belfast Water Commissioners and Guardians of the Poor of the Belfast Union, in endeavouring to have at least fifteen wards forthwith created.

3. That the Committee shall be called "The Increase of Wards Committee," and shall be authorized to take from time to time any further proceedings they may consider requisite to carry out the object of their appointment; but they shall not be empowered to incur any expense involving the expenditure of the rates, without the special permission of the Board.

I certify that the foregoing is a copy of a Resolution passed by the Board of Guardians of this Union, at this meeting on 28th October, 1879.

WM. F. BOWEN, Clerk of the Union.

24th July, 1880.

# MUNICIPAL BOUNDARIES COMMISSION.

## MINUTES OF EVIDENCE.

CORK.—TUESDAY, JANUARY 7TH, 1879.

Before Messrs. W. A. EXHAM, Q.C., W. P. O'BRIEN, and C. P. COTTON, Q.C.

Mr. PATRICK KENNEDY, Mayor of Cork, examined.

Cork.  
Jan. 7, 1879.

Mr. Patrick  
Kennedy.

1. CHAIRMAN.—What is the present area of the municipality of Cork?—I cannot tell.

2. Has there been any change in the bounds of the borough since 1863?—No.

3. Are the wards in the city the same for municipal and poor law purposes?—Yes.

4. Is the whole of Cork city within the electoral division of Cork?—Yes.

5. Have the Corporation approved of recommendations with regard to the extension of the boundary?—Yes.

6. Would that extension be all in the same electoral division?—Yes.

7. Mr. O'BRIEN.—It would not take in the whole electoral division of Cork?—No.

8. CHAIRMAN.—Is it the opinion of the Corporation that there should be an increase in the municipal area?—Yes.

9. Have they as a body agreed upon the line of extension?—They have.

10. Are you able to tell me the extent of the increase in area, the valuation, and the representation?—If I had the map, and it should be here, I would be able to show it. We had it before our meeting yesterday.

11. Is it your opinion, and that of the Corporation, that the owners of property and occupiers within the proposed extended area derive exceptional advantages from their proximity to Cork, so as to make it desirable that they should be brought within the municipality?—That is the opinion of the Corporation.

12. Is the opinion of the Corporation that the ground around the city is of exceptional value on that account?—Yes; from its proximity to Cork.

13. Do the persons living within the proposed extension take advantage of the city for themselves and their families?—They do.

14. Do the owners of market gardens and pasture land within that area, derive advantages from their proximity to the city in supplying it with the necessary daily produce, such as milk and butter, and so on?—They do.

15. Have you considered whether within the proposed area the occupiers and owners should pay an equal amount of taxation with those within the present municipal area, or whether they should only pay a differential rate, and if so, to what extent?—We think there should be a differential rate, and that agricultural land should only be taxed on one half the valuation.

16. Does that opinion of the Corporation apply to anything more than agricultural lands; for instance, does it apply to railways taken within it?—They did not apply themselves particularly to that.

17. What is your own view about that?—At present the railways are valued differently.

18. The proposed area will include a considerable length of land occupied by railways coming into Cork—what is your view in regard to land occupied by railways?—I believe, with regard to railways, they are valued in a different scale from other property, and I don't think the Corporation propose to make any alteration in that; but, as I said before, they have not particularly considered it; and, I may add, that according to the proposed extension as suggested by the Corporation, a great deal of Railway will not come in, and the part included would, in fact, affect the rate very little.

19. Would the extension be confined to what is popularly called land, and gentlemen's seats?—Yes.

20. Land under tillage, pasture land, and so on?—Yes.

21. With regard to any ground that is within gentlemen's demesnes, and places proposed to be taken in, what is the view of the Corporation as to taxation?—I think they regarded land as being made liable to half, except what probably would surround gentlemen's residences in the way of pleasure ground, which, I suppose, they thought should go in with the valuation of the house, and in that case, where there was a residence with pleasure ground, such as a house at the Blackrock side, that the owners should pay the same as the inhabitants in Cork pay.

22. Do you apply that to all the rates in Cork or only a portion of them?—To all the rates levied by the Corporation.

23. The Corporation, of course, supply water?—Yes; and to Blackrock.

24. Do they supply the whole municipality?—Yes.

25. Do the Corporation propose, in case the area they recommend should be approved of, to supply water in the whole of it?—Yes.

26. Do they propose to extend all the advantages to the places they bring in, which the city proper now enjoys?—Yes.

27. To give them the same advantages for the private and public water rate as any one in the city now has?—Yes; to give them an abundant supply all over their houses.

28. With regard to lighting these places, do you propose to give them the same advantages as the citizens possess?—Yes; and I apprehend they would gain something from that as regards their private consumption; for I believe the gas company, in consideration of their lighting the public lamps, on the public roads that would be brought in, would be glad to meet the private consumers, and put them on an equality with the city consumers.

29. Do the Corporation propose to give the same facilities of lighting in these new districts as in the municipality at present?—Yes.

30. With regard to the roads, of course, at present, I presume, that the roads outside the municipality are in the barony of Cork, and are under the control of the Grand Jury?—Yes.

31. Are the Corporation ready to take them up?—Yes.

32. And to undertake the control and management of them?—Yes.

33. Is it your opinion that the Corporation can do that more cheaply to the inhabitants than they are paying at present under the Grand Jury?—I think they would do very much more than the county does at present.

34. Can you say whether the taxation on the people outside would be greater than at present?—I could not say that, for we have not considered the cost at present, and compared it with the county taxation. I think it would be only fair for me to say that those people, on the whole, would have to bear more taxation, but we would give them more value for it.

35. Have you considered at all what would be the

Comm.  
Jan. 7, 1874.  
Mr. Patrick  
Kennedy.

increase?—I have not. I am ignorant of the county charges.

36. Have you considered whether the sanitary works to be done in the present municipal boundary would remain the same, or be materially increased by this extended area?—Well, the extended area would not require such sanitary works as the city would, such as main sewers, and keeping them in order.

37. Is it your view still that the portion of this extended area to be brought in, should bear the same taxation as the inhabitants of Cork do for all sanitary purposes?—It is, clearly; because the sanitary rate is a rather small one under any circumstances, and great benefit is derived by those who enjoy the sanitary works proper, carried on by the Corporation, and they would, to a great extent, be extended to those houses in the proposed district.

38. Do the houses outside and the families residing outside derive great advantage from the town, having it so clean and all that?—Yes. Furthermore, they would have their own places cleaned, and that is what I refer to particularly.

39. Are the Corporation ready now to make sewers for these places if necessary?—They are ready to regard them in the same way as any part of the city.

40. To treat them as members of the same family, in fact?—Yes.

41. Mr. O'BRIEN.—I believe the present municipal area doesn't extend equally in all directions?—No; it is very unequal.

42. What is the most central part of the city?—Well, I should say Nelson's place is regarded as about the centre of the city.

43. How far from Nelson's place does the municipal area extend northward?—Directly north about a mile or a mile and a half.

44. How far does it extend to the east?—Oh, it goes a long two miles.

45. And to the west how far?—Well, about, I should say, a mile and a half.

46. And to the south how far?—Some parts to two miles, and other parts not nearly so much.

47. What is the shortest distance it extends to the south?—To the south I say the extreme in one direction is certainly two miles.

48. And the closest point?—About half that.

49. Then the present district does not at all radiate equally from the centre?—Oh, most irregularly.

50. In the proposed area, how would that stand in the different directions?—It would make it more regular, but it would leave a great deal of irregularity still.

51. In what direction is the irregularity?—In the direction of the south—in the direction of Galloway Green—but it doesn't proceed away towards the lough.

52. Why do you think it in that direction?—Because we don't consider there is any profitable ground to be taken in there, or any residents that require the advantages of city works.

53. But in the other directions the extension is pretty equal?—The places we intend to include are covered with residences, and we think they should pay their share of the city expenses.

54. What radius would the new area give from the centre of the city?—Two and a half miles to the west, and as much to the east, while it would be irregular north and south.

55. Would the irregularity to the north be as large?—No; because we propose to take in a corner that would probably shave off a little of the irregularity to the north.

56. You have a Local Act under which you have obtained the fiscal functions of the Grand Jury?—Yes.

57. Have you a differential scale of rating, or is it all equal?—All equal.

58. For Grand Jury or other purposes?—Yes.

59. CHAIRMAN.—You have very little of what is called agricultural land within the present area?—Very little; and of course the Towns Improvement Act of 1847 would apply to it.

60. Mr. O'BRIEN.—You have no arrangement under the existing Local Act analogous to that introduced by the 62nd section of the Towns Improvement Act, which makes arable lands rateable on only one-fourth?—No; except so far as that Act is incorporated with our Act.

61. But there is no rating scale?—No; all property is rated equally.

62. You are aware that the Parliamentary Committee have expressed the opinion that municipal boundaries should be made coincident with Poor Law boundaries. Are you acquainted with the present boundaries of the electoral division of Cork?—I am, generally.

63. Do they extend pretty equally in all directions from the city?—I am not sufficiently acquainted to say.

64. They go beyond the district you propose?—Some miles into the country.

65. What is the utmost limit to which they extend?—I am not prepared to discuss that question.

66. You don't consider it advisable that the electoral division should be adapted as the municipal boundary?—No.

67. What is the remotest point of the electoral division?—I think it goes out to Waterfall.

68. About?—Five or six miles.

69. So that it would be almost impracticable to adopt the electoral division as the boundary?—Perfectly.

70. Does your proposed area cut townlands?—It goes through townlands.

71. Would you not consider it advisable—townlands being a well-known denomination—to adhere to them as far as possible, instead of taking an arbitrary line?—It would not suit Cork at all; because some of the townlands contiguous extend very far into the country.

72. So that the very same objections would apply to that as to the electoral division boundary?—Yes.

73. CHAIRMAN.—I see down along the river on the north side there are first of all ten gentlemen's houses that you don't propose to take in. Suppose you take in as you do Fairly, Ringmahon, and those places in the proposed boundary, on what principle would you propose to include them, and not being in Lota Villa, Lota House, and so on?—I think if you put a little pressure on us we will ask you to bring them in too.

74. We don't want to press you at all. All we want is what is right and fair?—I will give you my reason for that. Whereas, the Blackrock side is studded with houses and residences, the place you refer to, Fortwilliam, and the district adjoining has only about five residences from beginning to end of it, and I don't think the Corporation consider it fair to be called upon to extend the city works in that direction, where they would benefit only about half-a-dozen families.

75. But suppose these houses are included, don't they derive exceptional value from their proximity to the city, and getting the use of lamps down so far as the road?—Yes.

76. Would you think it right to take in any of them at a differential rate, and not give them the city works at all; say a fourth, a half, or whatever it is for the benefits they derive from the city from the moment they come to that spot where the city begins, and that yet were not being bound to give light or water?—I think the Corporation would be very ready to adopt that, but, having regard to the fact that we considered this point with a view of giving the benefits of the city to say place we included, and we did not contemplate doing what you say, I could not answer exactly.

77. You proposed this boundary on this principle—you say we give them the same advantages as any person within the town has at present, and then they must bear the same burden as the others—but stop your light at Silver Spring, whereas it is at present, and then, inasmuch as these people derive advantage, the moment they come to Silver Spring would you think it right to bring them in, making them pay a differential rate?—I do think they would be entitled to contribute

something to the taxation, but if the Corporation were to follow their district, and to give them all the advantages of the city, they would be about to incur great expense for a small expected revenue.

18. But suppose these places were to be taken in, would the Corporation be prepared to manage these roads within that district—the Lower Glanville-road?—From a commercial point of view they would be large losses, and I don't think they would like that; but the Corporation do not regard revenue altogether in the matter—they regard the accommodation they will give to the persons living contiguous to the city, whom they regard almost as citizens, and they consider how far they could give most advantages with the least loss, and perhaps an increased revenue.

19. Would it be your view to stop at Silverspings as far as the full rate, and then if the rest were taken in down to the Glanville river would you consider it fair to put on a differential rate?—I can't regard the point from Silverspings eastward as anything like a throughfare at all.

20. Would you consider it right to take them in at a differential rate and not to bound to make sewers or anything for them?—It would greatly depend on what we were expected to do for them. The repairs of the road there is very considerable, for it is the inlet and outlet to a very considerable tract of country, and there is very considerable traffic, not city, but country traffic, and I think the view of the Corporation would be that they would rather have nothing to say to that road at all.

21. No. 3 extension on this map. Now, on what principle was it you took that hard and fast line when there are plenty of well-defined roads?—If you look at the land to the south of that line you will find that to all intents and purposes it is an agricultural country. Of course there are some gentlemen's seats on it, but they are not responsible to the number on the other side, and the Corporation did not think they were bound to follow gentlemen's residences at remote distances from the city like that. If you also take into consideration the large number of cross or bye-roads there are there; they thought they might be called upon to light these, and that would involve great expenditure and considerable loss.

22. Mr. O'BRIEN.—You have acted on the supposition that whoever you extended your boundary you would have to extend all the advantages?—Yes.

23. And you were only recommending such a boundary as you were prepared to give these advantages to?—And while we consider it necessary to give these advantages, sewers would not be necessary at all, but lighting would be, and water would be.

24. CHAIRMAN.—I only asked you whether you thought it might not be taken in at a differential rate?—I think it would be too large a district to put the care of it on the Corporation. I think that comes more within the duties of the County Grand Jury.

25. At the north-east corner you propose to lessen the boundary?—Yes.

26. On what principle?—The principle on which we propose to cut off that corner is this: That is a district that runs considerably into the country. It is simply an agricultural property altogether. There is scarcely a gentleman's residence there; probably not more than two or three. I believe in reality there is only one; it runs a considerable distance into the country. We have never given these people the advantages of the city, and we did not think it fair to keep them under taxation when we never expected to be called upon to give them either lighting or sewers.

27. Still they derive exceptional advantages from their proximity to the city?—No; they are further from the city compared with other persons.

28. How far is that from the city?—I consider that three miles from Cork, and they are completely in the country. It is most remote from the city of Cork. There are great many residences there of people who have places in Cork, and we would not like to cut them off from the advantages of the city.

29. You do not include the workhouse in your proposed boundary?—No.

30. Are there any lands within that quarter that should come into the municipality?—No, there is not much, and we prefer leaving Douglas-road to the care of the country.

31. Mr. O'BRIEN.—The entire of the municipal tax is paid by the occupiers at present?—Yes.

32. Are the Council aware of the fact that the Parliamentary Committee amongst their other recommendations have also given one to the effect that it would be advisable, on the ground of general policy, that the taxation for municipal purposes should be divided?—I don't think the Corporation have considered that.

33. They have not had it under formal consideration?—No.

34. Is it your opinion they would object to have it divided?—On the contrary. I have heard it complained of that the city rate was not divided, and that the poor occupier had to pay it all. It is considered as a hardship.

35. CHAIRMAN.—Do you not consider that popularly speaking the village of Douglas and the houses on the road to it are more or less a suburb of Cork at this moment?—I do not. If you examine it you will find there are not more than a dozen residences from the workhouse to the village altogether; but suppose there would be a little more I don't think it would warrant the Corporation in following them down to Douglas, for you should there make an irregular boundary or take in a large tract of country, such as bog fields and lands in that neighbourhood.

36. Mr. O'BRIEN.—You are aware of the opinion the Parliamentary Committee express at page 16 of their Report as to the good effects likely to result from bringing the country and city people together? (Reads paragraph from Report beginning, "Your Committee having given.")—Your question was whether the Corporation would object to the division of the rates, but I must guard myself against agreeing to that paragraph, for I believe there is a very strong feeling amongst the Corporation against that paragraph.

37. You concur in the portion referring to the rates, but not in the rest?—No.

38. CHAIRMAN.—I observe on this map, as you now propose it, you seek extension No. 3, which will take you about three and a half miles from the city. There is land down there which is not attached to gentlemen's places which you bring in?—Not much of it.

39. But there is some, and you bring in that on the ground of its exceptional value, and its proximity to the city. Are not all the market gardens in the Douglas-road valuable, and made more valuable by their proximity to the city?—But there are no residences there.

40. But have you considered the advisability of bringing all those in at a differential rate, and not being obliged to light the roads and not to give them water? The differential rate might be a fourth, or, as under the Act of 1847, one-third, or one-half, as people proposed?—Well, as I mentioned before, when we considered the matter, we considered it from the point that wherever we extended our boundaries we extended the city advantages, and therefore I am not prepared to answer that. Of course that is a matter the Corporation could reconsider.

41. Mr. O'BRIEN.—But does it occur to you as reasonable that if land within a certain distance derives advantage they should pay some contribution?—I think it very reasonable, on the understanding that for that reasonable contribution the Corporation is not to give them all the advantages.

42. CHAIRMAN.—The question then is, what should be the extent of the contribution?—It never occurred to us that such a question could be entertained before you, and hence we never considered it.

43. Mr. O'BRIEN.—Of course it is in the power of Parliament to do anything, and this inquiry is only for the purpose of enabling them to deal with the question when they come to consider it.

CORR.  
JAN. 5, 1878.  
Mr. PAIN &  
Kenny

Cork  
Jan. 1, 1879  
Mr. Furlish  
Kennedy.

104. CHAIRMAN.—Everywhere we have been at we have found in all the towns a desire to bring the lands situate within a certain radius (in some cases a mile and a half, and in other cases two miles), within the municipal area, on the ground that the lands derive exceptional value, the landlord gets more rent, and the occupier gets more facilities, which enable him to pay his rent, from the proximity of the lands to the market-town, and it is said that they should contribute something towards the resources of that market-town. Then came the question what should they pay? I knew that, under the Towns Improvement Act, it is one-fourth, and I asked the gentleman at Skibbereen what they thought it should be, and they said one-half—I think that is just. I think these people use Cork market, and derive advantages from their proximity to the city, and they should pay something to the support of the city from which they derive benefit.

105. And in favour of what Mr. O'Brien calls attention to—the sharing of the taxation between the landlord and the tenant. The landlords get an increased rent for these lands?—The landlords of these lands get extraordinary rents.

106. And they escape the taxation?—Yes.

107. The occupying tenant, even if he was bound to pay that, and then to deduct half from his landlord, would still only be contributing one-fourth, while the landlord would be only contributing one-fourth also in respect of the increased rent he gets, owing to his proximity to the city; so that between them they only pay one-half of what the townspeople pay, while in some cases they derive more advantage. In that view of the case what would you say?—In that view of the case, if we bring them within the municipal bounds they would be also free from tolls.

108. Mr. O'Brien.—The persons living within the city are exempted from tolls?—Yes.

109. CHAIRMAN.—From your knowledge of the city in that view (for, so far as I am concerned, I never took up the idea that you should be compelled to light out all through that district), how far out do the lands derive exceptional value from their proximity to the city?—I take it roughly at three miles, but of course that would take in some that would not derive those advantages. However, taking it roughly, I should say within three miles they derive all these exceptional advantages.

110. I would assume that the land to the west of Cork doesn't derive that exceptional advantage that these market-gardens down in Douglas do, for I am aware that in certain seasons in the year quantities of vegetables come from Douglas market, pass over the railway to Dublin, and this is, in point of fact, a market garden not only for Cork, but a great many other places?—Looking at the map I say that taking three miles to the north and west you take in land that would not derive advantage from the city.

111. Mr. O'Brien.—How far to the north and to the west would you go?—In that respect the people there would derive very little advantage, for it is perfectly agricultural.

112. CHAIRMAN.—Would you consider it unreasonable to take the centre of the nearest townland boundary to your proposed extension on the north?—Farranferris.

113. Yes. The land proposed to be brought in on the north-west and the south-west may be considered as land that derives exceptional advantage from its proximity to the city?—Yes. I say so, especially with regard to the south, and in a more limited way to the north.

114. Your opinion is that you might fairly go to a radius of three miles from the south-west and the south-east?—Yes.

115. That would still be within the electoral division?—Yes; I must repeat again that that radius would bring in ground that would not be market garden, and it is similar in the north. The village of Douglas is two miles from Cork, and beyond that going still on to the south, the parties within the three miles would derive no advantage at all.

116. I did not understand you to say you would go by a hard and fast line of three miles at all, only taking as well-defined roads and townlands you would take in what are more or less market-gardens, running a distance varying from half a mile and going up to about two and a quarter miles and in some places to two and a half miles?—Of course if you take it that way it can be done without any injustice to the parties I refer to.

117. I see at once that that kind would take in a good many gentlemen's seats down along the Douglas road?—Yes; if that was done and the boundary was extended to the north-east, so as to go to the corner of the Glanure river, and then across the water, and going on into Mr. Pitt's place, and then striking a line which you see would take in arable land, it would give us a very extended area.

118. Even one-half on it would be a good deal?—Yes; and on the terms of their not being called upon to give all the advantages of the city to these places, I don't think the Corporation would object.

119. In reference to the differential rate you propose in your extension, you stop just above the Lismoylun?—That would be included in the new boundary.

120. You propose to stop just above Shanakill Cottage. Don't you think that the gentlemen's seats along the bank of the Lee, as far as Mr. Young's, derive exceptional benefit, and that for having the town lighted up as far as Shanakill Cottage they should pay a differential rate?—Yes; but it all depends on what we are expected to do.

121. In the same way you propose to bring in the High Sheriff, and he is not further away than Mr. Danconnet?—He is included because he is a close lying neighbour to the house opposite him, and there is a road outside there which is the natural boundary.

122. But here you have a number of gentlemen's residences left out?—Yes, we have Mr. Crawford's, and he derives as much benefit from his contiguity to the town as Mr. Murphy, but the reason we did not follow across the road to Mr. Crawford's, is that we would not know where to stop, but on the east you have water, and you know where to stop, and in the same way at Mr. Young's you have the valley up there too, and if they were put under an exceptional rate would it be a fair thing to stop at Shanakill-road merely?

123. The only other thing I would like to ask you is suppose they pay only a differential rate on what you pay at present for sanitary rates, for cleaning, lighting, and so, and supposing these extended districts were brought in at that proposed rate, would you propose then that the roads should be taken up by you, they still paying whatever they pay for roads at present?—Again it would depend on what we would be asked to do for them.

124. The same as the Grand Jury do for them. If the area is extended, the functions are extended are?—Yes; but with regard to the roads under our jurisdiction we light them.

125. Suppose you were not expected to do that?—I am speaking at present without authority, for you are questioning me on a point we have not considered.

126. So I understood you, that you are speaking at the mouthpiece of the Corporation, and that legal the proposed boundary you have not considered the question, but I wish to have your views as an individual. As regards the roads, there are certain quantities of roads that would be brought in, would you think that the Corporation would be prepared to take up the management of these roads, just keeping them in the same kind of repair as the Grand Jury keep them, with no obligation of lighting, nor anything like that, and they not paying more than they pay at present to the Grand Jury?—I think the Corporation would probably rather not take upon themselves so much responsibility. A good deal would depend on the revenue that would be derivable from the roads taken in in that way.

127. They pay a certain amount to the Grand Jury at present, and the Grand Jury keep up the roads. If the Corporation got the same for the same works that the Grand Jury do, and then if Corporation got



2. Differential rate of one-half for the exceptional advantages, do you think the Corporation would be prepared to keep the roads in repair, otherwise you would have a divided authority?—I think if the Corporation were to take them up at all they would not like any partnership with the Grand Jury, for that occurs in some places already and it is not pleasant.

118. Of course you understand that in the question I put to you I never contemplated your being obliged to carry out light and all that to these roads?—Of course.

119. You are aware that the Parliamentary Committee have recommended that all the fiscal duties of the Grand Jury should be transferred to the Town Council?—That did not refer to us for we have them already.

120. Would the bringing in of these extended boundaries and making them part of the urban sanitary district impose any difficulty in the way of the Town Council?—That would impose a great deal of responsibility if they took charge of the sanitary arrangements in the proposed outlying districts, and I don't think they would like that at all. They would not like to be responsible for seeing other sanitary matters and the repairs of the roads of the rural districts. It would impose too much responsibility on them.

121. Mr. O'BRIEN.—Of course if the proposed extended boundary be adopted you must be constituted the urban sanitary authority?—Yes, and it is with reference to that we are anxious to limit what we are to have to do, and that would be one of the chief objections of the Corporation I think.

122. But of course the sanitary work devolving on the rural district is much limited?—Only it would involve the difficulty of our sanitary officer having to go two or three miles to look after a case of fever, and they would be running backward and forward all day.

123. But then you get a very much extended purse?—That is very much a question. I don't think the Corporation would like to inflict a large sanitary rate on these districts.

124. They would not inflict larger than at present?—I think they would, for the poor law have a staff at present which is in working order, and if you take it this you would have to have a new staff.

125. But these areas are not contributing anything to your heavy sanitary expenditure in the city, and they would then have to pay their portion of the sanitary rate, so that that would ease the purse of the city to a great extent?—That remains to be proved. I don't think you would derive much revenue from a sanitary rate over these districts, having regard to the fact that you would only put on a personal taxation on them, and even putting the sanitary tax on them at the full valuation would not produce much revenue, and of course if you have only to put on half of it the revenue will be less.

126. But they will be paying half the sanitary rate of the city?—And we will have a very extended area to look after. I am glad it is mentioned, for I think the Corporation will look upon that as the chief objection. I cannot answer the question at present, but if you like I will put that before them. I am getting that now because we were told it was one of the advantages to be derived by the municipal area; that those people would be made pay something towards the cleansing and other sanitary arrangements of the

city, and it was said that these outlying districts contributed something to the sink of the city, without having to pay anything at present. We are obliged to provide sewers to carry that sink away, and it was said they will have to pay something if they are brought in, and that will go to ease our town rates. Now, with regard to some of these towns, the circumstances of Cork differ considerably. That rural district that you propose to bring in, would be a much more thickly populated place than any district around a country town, and that would involve larger duties as regards sanitary arrangements and inspection.

127. Then, of course, if that is so, anything that imposes difficulty on the Corporation, could not be brought in at all?—No; I don't think you could fairly say that. They have no objection to take upon themselves, not only the partial responsibility, but all the responsibility of the area they propose, and I don't think it would be fair to put upon them a responsibility that would not be commensurate with the sum they receive.

128. The townspeople, according to what you propose, would have to pay their share of all the sanitary arrangements down to the Castle?—Yes.

129. And the Castle people have to pay their share of all the sanitary works in Cork?—Yes.

130. Is that view they must take upon themselves the management of the district down to the Castle, as the urban sanitary authority. Don't you think they would derive greater benefit if they got half rate from the people down in Douglas district, than from what the people of Blackrock would have to pay towards their sanitary rate out there?—I don't think so, for Blackrock is a narrow and confined district thickly populated with buildings of considerable value, from which the Corporation might fairly expect a large revenue, while their sanitary operations would be confined, and their inspection as to sanitary matters would be confined also, but if you extend your district over that other large country area, the sanitary officer would have to be running from one point to the other, and not doing his duty as the Corporation would like.

131. If you take that district down to the south, there are not many poor people's houses down to Douglas?—There are a good many, and then you must draw the line.

132. We now see what the views of the Corporation are, and you have heard the suggestion we make; and what we ask you to do is this, to take the views of the Corporation with regard to the extension on the basis we have suggested, going such a distance as would take in the class of residences and land that ought to be taken in and rated differentially?—Would you give us some idea of the liability on us as regards that differential rate?

133. Mr. O'BRIEN.—You could put it in the alternative form?—A great deal would depend on what it was proposed to do for the district brought in.

134. If you go beyond your present recommendations, you can state what your views are as to your duties. This Commission has been leaved to bring about something like a definite fixed area. If you took two and a half miles as the area over which large benefits are conferred, that will be a fair line, and a definite intelligible principle; but if the natural line is departed from, you will have to give special reasons for so doing.

MR. ALEXANDER MCCARTHY EXAMINED.

MR. ALEXANDER MCCARTHY.

135. CHAIRMAN.—You are the Town Clerk of Cork?—Yes.

136. And have filled that post for some time?—Yes.

137. Can you give me the valuation of the city at present, including the different wards?—The total valuation on the 30th February, 1878, was £149,593 1s. 4d. That is the Poor Law Valuation of the several wards in Cork.

138. Mr. O'BRIEN.—The return given me by the

Valuation Office last year was £165,865 odd. What other valuation is that you have given?—The difference is composed of half annual rates.

139. And the valuation for municipal purposes is £165,757 18s. 6d.?—Yes.

140. The difference being caused, as you say, from property only liable to half annual rents, and so on?—Yes; but that does not include also the Government property for which we get our commuted allowance.

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—  
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151. CHAIRMAN.—The area at present is 3,685a in. 31r. 1.—Yes.

152. Mr. O'BRIEN.—Does that include footways, because in the return supplied by the Valuation Office last year, the area is given as 3,366 acres 1.—This is an altered return, and includes streets.

153. The valuation of the different wards—are they the same in both 1.—They are not. It must be slightly altered.

154. I see they do not tally with the report here 1.—We will be able to give you that.

155. CHAIRMAN.—Can you tell me, as Town Clerk of Cork, whether there is a feeling on the part of the inhabitants of the city generally, that there should be an extension of its boundaries 1.—Well, I really could not say. It has not been discussed very much. Blackrock has always been considered as necessarily to be included in the area of municipal taxation.

156. Did not the Corporation go for a Bill for the purpose of increasing the area of taxation here 1.—In 1868 we got an Act of Parliament which enabled us to take relief for general purposes, and the notice of that Bill was originally intended to include Blackrock. The question was considered at the time by the Corporation, and they got a return made by the late Sir John Bannan and Mr. Walker, and after that return was furnished to them they thought it would not be advisable to include Blackrock; and the Blackrock people opposed any such step; and for those two reasons we withdrew the scheme.

157. And as far as you know, the question has not been re-agitated in Cork, until the present inquiry 1.—Yes.

158. Now, your knowledge of the city and of municipal matters must be very considerable, as you occupy the position of town clerk, and I do not desire to ask you the views of the Corporation, because the Mayor, as the mouth-piece of the Corporation, has given us their views; but I would like to know your own view as town clerk, as to whether the districts around Cork do not derive exceptional value—the houses and lands, and the occupiers and the landlords—from the proximity of the houses and lands to the city 1.—Most certainly; and, I may add, that Mr. Fieldhouse, on several occasions in Cork, has stated that the value of property in Cork, on the evidence given in the inquiries before him, was considerably more than in any other part of Ireland.

159. The value of what land 1.—The value of land for building purposes. In Cork, at the present moment, I know people who cannot get houses to occupy them. In reference to Blackrock, it is considered by some members of the Council that if it were included it would be the means of affording facilities for the use of additional building ground, because of the fact that the only accommodation of the district is nearly all taken up, and in Blackrock there is a considerable quantity of land available for building purposes, and the people like to have facilities for lighting, water, and all those conveniences, particularly lighting, that is of the public roads.

160. Mr. O'BRIEN.—Then you think the people in Blackrock would not object 1.—I am sure a large number would object; but if they looked at the matter as landlords they would not object.

161. CHAIRMAN.—I presume they would be very glad to come in if they had not to pay anything more for it 1.—Yes; I suppose you know that the Corporation supply water to Blackrock under special private agreement, and the rate is 2s. in the pound on the valuation. If they were included in the city we would give them water probably at 6d. in the pound, the landlord paying a 3d. water rate.

162. With regard to that, and as that should be one matter as regards a district coming in, is it not a fact that under your Act you are empowered to charge not exceeding 1s. private water rate, and 3d. for the landlord 1.—Yes; the domestic rate.

163. What do you charge at present 1.—6d. for the domestic, and 3d. for the landlord.

164. Then you have reduced the domestic, because

you had it at 1s. 3d. 1.—No; we never reached the maximum. 3d. was the highest we had.

165. But you have it now. Have you never reduced it on the landlord 1.—No.

166. Would you propose to reduce it on the landlord, then, in this extended district 1.—The Act of 1866, under which the public water rate is assessed, provided that the domestic rate should be reduced, but there was no similar provision in reference to the public water rate.

167. Then the Blackrock district is not lighted 1.—Not lighted, because of our being without the power to charge an extra rate for the Blackrock district; but I have no doubt that if they got the public lamps, they would be very glad, the mains being there; but we object naturally enough to give them the benefit of a reduced rate.

168. Having provided mains, no public body could be expected to provide light for them 1.—Certainly not; for sanitary purposes they are under the Guardians; and the Guardians pay 255s. a year for the public fountains under the Sanitary Act.

169. Mr. O'BRIEN.—There appears to be a great difference in the amount of the rates in the different years; for instance, in 1874 it was 7s., and it was reduced in 1875 to 5s. 9d.—What was the reason of that 1.—The reason of that partly was the reduction in the contribution for the lunatic asylum. The Government give now a stipendium grant out of the public funds, and that has reduced the rate. Another source of reduction is that the gas and prices are now taken under Government management.

170. Are there any important sanitary works left unexecuted by the Corporation, and which the Corporation have been restrained from proceeding with them, on account of the state of the city taxation—such works as sewers, an improved water supply, and so on 1.—One of your colleagues, Mr. Cotton, is at present engaged in making an exhaustive report, which we expect to receive from him soon, on the sanitary condition of Cork.

171. Is that likely to involve a large outlay 1.—Yes, a large outlay.

172. Would that not add to the taxation 1.—Yes.

173. It would greatly facilitate the carrying out of the scheme if an extended area was brought in 1.—Of course it would.

174. Have the Corporation been deterred up to the present time from proceeding with a work of that sort by reason of the want of higher taxation 1.—No; they were only too alive to the necessity of the scheme, and when the Public Health Act was passed, they counselled it to see what powers they would have.

175. Are they proceeding with the scheme now 1.—Yes, Mr. Cotton is proceeding with it now.

176. It would be a considerable source of increased expenditure to them 1.—No doubt.

177. CHAIRMAN.—Then what radius do you consider you should have the municipal government extend to around about Cork, taken from the centre of the town, I mean as nearly as possible 1.—I am inclined to agree with the Mayor. I should say about a radius of three miles from the centre of the town. Of course that could not be taken in general terms, because there are some portions differently situated and circumstanced to others.

178. In stating that, do you contemplate that waste and other land provided for and specified in section 63 of the Towns Improvement Act should be liable, only to a differential rating 1.—I think, as far as the Corporation is concerned, that the differential scale arising in the city at the present moment would be fair. We only intend to give them the same as the city.

179. What is the differential scale as it exists at present 1.—One-third on the lands specified in the section here.

180. Of what Act is that 1.—The Act of 1867—the Towns Improvement Clauses Act.

181. What section 1.—The 167th section of the 10th and 11th of Victoria, chapter 34, which enables us to levy one-third on the annual valuation.

182. That is the present scale?—Yes.

183. Are railways included in that?—No.

184. You are aware that under the Towns Improvement Act railways are not subject to the differential scale?—Yes.

185. However, that is the scale you are now going on?—Yes.

186. And that is the scale you contemplate for the future?—Yes.

187. I did not understand the Mayor to say, with regard to the lands in the area they proposed, that they wanted to let them off at one-third?—The Corporation arrived at a resolution yesterday to substitute "one-half" for "one-third," not only outside but inside the

boundary. I may also add that in Cook, under the same Act, the landlords of all premises rated at £10 and under pay all the occupation rates.

188. Under what Act?—The same Act.

189. Mr. O'Brian.—You have heard, I presume, the opinion expressed by the Parliamentary Committee in favour of dividing the rates between the occupiers and owners?—I would rather not give an opinion with regard to that.

190. I am not asking as to the retention of the rates, but am merely asking you as to the division of the rates?—I would rather not give an opinion on that matter.

Cont.

Jan 7, 1878.

Mr. Alexander  
McCarthy.

#### The Mayor re-examined.

Mr. Patrick  
Kennedy.

191. CHAIRMAN.—I was under the impression, from your evidence, that in all that they proposed to take in on the map as shown to-day, and according to the views of the meeting of the Council yesterday, there was to be the same rate, and that any portion taken in should not be rated at one-third. Is it still your view, and was it the view of the Corporation yesterday as regards market-gardens and sayhilling of that sort in the proposed area, that they should pay

one-third?—I am afraid I did not convey myself clearly on that subject. The intention of the Corporation is now, with regard to all lands of that kind, to have them included in that area, or some area similar to the proposed area, and that they should be included at one-half. There was a special resolution of the Council yesterday on the subject.

192. Then for the "one-third" that exists at present you would substitute "one-half"?—Yes.

#### Examination of Mr. McCARTHY resumed.

Mr. Alexander  
McCarthy.

193. CHAIRMAN.—Mr. McCarthy, I believe the Town Council, at a meeting yesterday, passed a resolution with regard to this subject?—Yes; the resolution is as follows:—

"Moved by Alderman Nagle, and seconded by Councillor Safford, 'That while the Council approve of these extensions, they submit that the rates, in all cases contemplated by the 187th section of the Towns Improvement Act of 1847, should be levied on one-half, and not on one-third, of the net assessed value.'"

Mr. George Peckrose moved an amendment to the effect that no change should be made which would disturb the present rating of tillage lands, but as there was no second to the amendment it fell through, and the resolution was carried unanimously.

194. The town is at present divided into seven wards?—Yes.

195. The Municipal and Poor Law are the same?—Yes; there were originally eight under the Act of 1849, and afterwards the number was reduced to seven.

196. The Corporation proposed, as I understood, to give the same benefits to all the wards in the extended district as to those which now exist in the municipality?—Whatever rates were payable by the people in Cook, that the new area should pay the same.

197. Taking that in view, we have been asking about the extension, and your going beyond your present boundary again, and the Mayor said that, individually, he felt the difficulty of bringing in that boundary if they had to light it?—Yes.

198. And giving it the benefit of water, and all that, too. Well, now, in the present boundary as you propose it, you only go for one-half, as far as arable land is concerned and the classes of land under that section?—Yes.

199. Well now, take the case of an outlying district, would you have them pay one-third as a differential rate for the benefit of those outsiders?—I don't know that it is my province to give an opinion on the subject. I do not like to pledge the Corporation to any opinion of mine.

200. Do I understand the Corporation have not considered that?—No, they have not.

201. In the municipality at present, you know, they only pay one-third. You propose now that the land in the municipality, as proposed to be extended, shall pay one-half?—Yes, and the city one-half also.

202. But then we have been at a further extension

still, and then I was asking you whether you thought as to the land in that further extension, that it should pay one-half, when it will get no water or lighting, and so on?—I think it should pay some percentage for the advantage of being near the city.

203. What would you say?—I think they should pay something more than a percentage.

204. Would you leave them at one-third?—I would not go into figures. I believe the county cess is about 2s. in the pound. At the present time our rates vary from 1s. to 5s. 9d. I should say 5s.

205. Does that comprehend the Grand Jury rate?—Yes, everything. We have three sets of rates—Improvement rate, for sewerage, lighting, and cleansing. We have a General Purpose rate, which was the Grand Jury rate formerly, and a Burial rate. Those are the three rates.

206. How much is your General Purpose rate?—That has been greatly reduced. It was about 1s. 7d. in the pound last year.

207. Does it only cost you 1s. 7d. for the streets in the city, and so on?—The General Purpose rate only pays what the Grand Jury originally paid, omitting the streets, officers' salaries, reformatories, police, and different other matters of that kind. The last rate was 1s. 7d. for the last year. I might add with reference to the lower Glanmire-road, that I am aware that the inhabitants there would be very glad to pay for one convenience—water in the summer.

208. Mr. O'Brian.—That is outside the borough?—Yes; but in reality I think the lighting would be the primary advantage that the inhabitants would desire.

209. I presume the Blackrock people would look upon the lighting as a great boon?—Yes. In fact, several fires were lost there, and several accidents have also occurred there.

210. It must be a serious public want?—Yes.

211. CHAIRMAN.—As far as the Glanmire-road is concerned, you don't propose to extend the boundary there?—I think if they got lighting there it would be worth almost everything else.

212. As I understood you, you go below Silver stream?—I am not sure we could go on partially without giving them water.

213. Would it pay to extend the pipes to Glanmire and Drunkettle there?—I do not know.

214. Mr. O'Brian.—From what I see of the returns here one-third would not pay if it amounted to about 2s. in the pound. I see your last rate was 5s. 9d.

Cont.  
 Jan. 7, 1874,  
 Mr. Alexander  
 McCarty.

They now pay more than a third of that average; 7s. appears to be the highest for 1874, 1875 was 6s. 8d., 1876 was 6s. 5d., 1877 was 6s. 1d., and 1878 was 5s. 9d. Of course, as far as those people are concerned, they would still have to pay their share. Their full county cess rate is 2s., and add to this only one-third of the town rate.—Yes.

215. In what year did you get a transfer of the Grand Jury functions?—In 1851.

216. Under that Act does this differential scale of the Act of 1847 apply to the works transferred to you from the Grand Jury as well as to the others?—It applies to all rates, with the exception of the water rate.

217. Those works you had in lieu of the Grand Jury are now an annual charge on the differential scale, the same as the other items of expenditure. Although previously all property were treated equally under the Grand Jury system, you have applied your general differential scale to those works?—Yes; all works, with the exception of the waterworks, are under the differential scale.

218. CHAIRMAN.—With reference to the differential rate I think you said you would rather not give an opinion?—No, I don't know sufficiently about the matter. It is a matter of finance. If the Corporation could use their way financially to it, I think they would be very glad to get the addition. I wish to mention in reference to the approach roads, the new road, and Mr. Young's place. That is availed of very largely by the citizens of Cork, and they have always complained of the way in which those places are kept by the Grand Jury of Cork. They do nothing for them, and they are very largely used. It would be a very great advantage if we had the control of that portion of the district.

219. Mr. O'BRIEN.—You don't think the work is as well done as it should be?—There is no footpath at all.

220. CHAIRMAN.—Is it 2s., the county rate that Mr. Young pays?—I am sure he does not get the benefit of 2s. a year at all. Then again there is another matter in regard to the cemetery. The footpath was so bad, and the traffic, in consequence of the funerals passing along, so considerable that we contributed half the expense—though illegally to a certain extent—for making it in proper order, the Grand Jury giving nothing. In reference to these roads outside the city, it would, in my opinion, generally be of advantage if the city had control over them; because they are as much used by the citizens as they are by the people outside.

221. Of course we must take for granted that the Select Committee considered, as almost everyone who was examined before us does, that the land outside the municipality in all these large towns ought to pay something for the keeping up of the roads?—There is no doubt that the ground immediately around the city is availed of to a large extent, chiefly because it is outside the area of taxation. I suppose that is Mr. Jennings' complaint, because he is likely to be made to pay city taxation.

222. At present it does not pay the city anything in compensation for the advantages conferred upon it?—Nothing.

223. It pays the county?—Yes, and it is valued under what it would be here.

224. Mr. O'BRIEN.—Does the amount it pays to the county confer any advantage on the city?—None whatever.

225. CHAIRMAN.—Will the landlord lose if it is brought into the city?—No, and the city will gain. I suppose for nursery land about the city the landlord will get his £10 or £15 an acre. He gets advantages because he is near the city, and he does not pay for them.

226. Mr. O'BRIEN.—You are not able to give any evidence with regard to the wards?—We were not aware that that question would be inquired into.

227. CHAIRMAN.—With reference to the observa-

tion thrown out by Mr. Lawrence can you say if the property towards the western boundary is depreciating in value?—I do not think it is.

228. The property towards the east, it has been stated, is increasing in value?—Yes.

229. And according as the property towards the east is increasing in value is not the property in the western boundary depreciated in a proportional extent?—No, I would not say that.

230. Mr. Lawrence.—Have you not complaints from the west wards?—Yes, in reference to their business.

231. That is the town portion.—Great George's street and that?—I mean the suburban parts; they are much built on. You will find terraces of houses there being built, near the western road.

232. What houses can you say are built outside the boundary to which you refer?—Three at least, I think. Some persons have built three or four houses there.

233. Within what period of time would you say?—Within the past six years.

234. CHAIRMAN.—Well, whether built upon or not is really immaterial, for are not the fields there still, and arable land, and if the people wished to turn them into market-gardens are they not there for the purpose?—Yes.

235. Mr. Lawrence.—Are these fields really available for market-gardens; would they be valuable as market-gardens? Are they not flooded so as to be inaccessible?—Sometimes they are flooded.

236. And are they then valuable as market-gardens?—Yes, but they are more valuable as building ground. I don't know if it is Mr. Jennings' ground there, but there is ground there preparing for building.

237. By reason of the overflow from the river is not the ground you speak of flooded and useless, except, perhaps, as a sort of building ground?—The dyke and ground is low and marshy. At Wellington-bridge the ground is being filled in for building purposes.

238. CHAIRMAN.—When you got to Dyke-house does not the ground begin to rise?—Yes. I speak of the ground between the Western-road and the Dyke—it has been filled in.

239. Along the Western-road?—Yes.

240. Mr. Lawrence.—Have you not had constant or frequent complaints and requests to the Council to do something for the West-road, and is it not as a matter of fact declining?—I must say I think the West Ward members are most energetic and anxious for the interests of their constituents.

241. Mr. O'BRIEN.—That after all refers to the town portion.

242. CHAIRMAN.—May I ask you if these lands we have been speaking about were turned into market-gardens, would not they be valuable?—Well, I do not know anything of the value of market-gardens except that they are valuable near the town.

243. I see here on the map Blackfield Chemical Works and Glashan Spinning Mills, now do not these works derive advantage, and substantial advantage, from having the western road direct to Cork, and also from their contiguity to the city?—Of course they do.

244. Mr. Lawrence.—Yes, but the road was made by the Grand Jury and not by Cork.

245. CHAIRMAN.—That is the very thing, for the Town Council now propose to take it in.

246. Mr. Lawrence.—I would ask the Town Clerk whether if you light Douglas-road without the municipal area and bring in the western road, would you increase the value of property in Douglas-road at a building road at the expense of property elsewhere?—No.

247. How far does Douglas-road go?—To the Lion's Den.

248. Now beyond the Lion's Den is there not a considerable piece of ground within the same proximity to this ground you propose taking in on the western road?—Yes, at one side.

249. Are you familiar with it—as to whether all that district is being built on the whole way up to

the Lion's Den!—Oh, no, for it is very raised ground, but they are building there because I have mentioned.

250. Is it not high ground?—Yes.

251. Is good condition for building?—Well, it requires excavation. It is the belief of all commercial men in Cork that the city is extending towards the westward, and that the Corporation has overlooked a great district in that direction, and went very far to the west, from which trade was moving away. The city is concentrating about the deep water quays, and in extending the western boundary the Corporation is going in the wrong direction.

252. I would ask the Town Clerk is not the Douglas-road as convenient to the town—taken at Warren's place—as these places on and beyond the western wall?—Well, not in my opinion—though perhaps it may; it is very raised ground. I think the proper centre of the city is about the Victoria Hotel.

253. Don't you think Warren's place is about the centre of the city?—No, I think about Academy-street or Victoria-street is about it.

254. Mr. O'Brien.—Mr. Lawrence, I take it as long as Douglas-road is brought in you won't object to the other district being included?—I say by all means don't leave out an area that ought to be taxed as well.

255. CHAIRMAN.—This Wellington-square I see marked on the map, is that anything of a populous district?—No, it is a very small class of houses.

256. And Glendora?—Oh, wretched places. There is an amendment to bring in Wilton, and taking the line—the point at Spillade.

257. As to this proposal of extension that we have been discussing, don't you think the Cork and Macroom line should be taken in; I observe by this map, though a great portion of their line runs just outside, there is none of it within the area, not even the station?—Well, they are coming to a new terminus, Evergreen, and will then be within the city.

258. Yes, but by this area—by taking in along this district, including Wilton, Douglas-cloyne, Mr. Scam-feld, you would bring in as well a portion of line which derives very great benefit from running to the city?—That would be a considerable distance to take in.

259. This one thing—the railway influences me very much. You see you have them untouched?—Well, that is a matter for the Corporation to consider.

260. What I understand Mr. Lawrence's contention to be is this: Why should this property out here be brought into the area of taxation, and the railways, which are actually diverting the property, so to speak, and diminishing the value of the town, and are making money by it, why should they be put out of the area of taxation?—I suppose that is a matter for the Council to consider.

261. Mr. Lawrence.—What Mr. Jennings thinks is that he has been made a special object of taxation. If you give Mr. Jennings full protection as under the Act of George IV., where the municipal authority could not tax him unless they gave him all the advantages. Mr. Jennings would have no objection to have his property brought in if protected in that way. But otherwise he naturally objects to what he believes would be an injustice.

262. CHAIRMAN.—But Mr. Lawrence, already that is done. As I understand it, the proposition of the Mayor, speaking on the part of the Corporation, is,

that to every solitary inch as included within the area they propose, and as marked out on the map, they will be prepared to give precisely the same advantages, the same privileges in the shape of lighting, cleansing, sewerage, water, sewerage, road paving and in every respect, in fact, the same as the man enjoys who lives in Grand Parade, Cork?—That may be very true, but I would remind you of this important fact, that while the taxes commence at once, the improvements do not begin for a very long. I may say, indefinite time.

263. CHAIRMAN.—Now, suppose the recommendation of the Corporation is carried out, and the undertaking as stated by the Mayor is reference to the treatment applied to the district taken in, faithfully adhered to—does Mr. Jennings object to that?—If it was carried out he does not, but what he wishes is for the Corporation to be prepared to undertake to do that which they promise. It is not exactly fair that they should be obliged to wait for years for these contemplated improvements to be carried into execution. It would be, I contend, on his behalf, unfair to take him in and tax him in the city until he gets those advantages that are spoken of.

264. CHAIRMAN.—You have heard and Mr. Jennings has heard the Corporation, through their Mayor, telling us that their proposal was to give to every street and to every road within the boundary they suggest to us, all and every of the advantages that anyone on the list of the city enjoys?—Yes; but they won't bind themselves to that. Will the Corporation undertake to do all this if Mr. Jennings builds houses? Will they see to the sewerage, and so on?

265. The Mayor.—We will certainly do whatever the law directs. Mr. Jennings and the Corporation have always been on good terms.

266. CHAIRMAN.—The Corporation, by their Mayor, have expressed their intention of extending the equal advantages to all who are included within the boundary.

267. The Mayor.—As the mouthpiece of the Council, I state that the proposal of the Corporation is, with regard to every locality within the area of the proposed extension, that they are prepared to give to those outside and taken in by that extension the same advantages as those living in the city possess. What more can we do? Upon that subject I speak as representing the Council. In everything else I speak merely my own individual opinion.

268. Mr. Lawrence.—I would ask again if Mr. Jennings builds houses on the western end of the field at the top of the dyke, will the Corporation undertake, when they are built, to provide sewerage, water, and gas?

269. The Mayor.—I can only repeat we will do whatever the law requires us to do. As an indication of what the Council would do, I may mention what they have done in one instance. Some houses were built on the northern road, at a point almost at the extreme limit of the boundary. Well, the owner applied for sewerage, and it was almost immediately granted, though it involved considerable cost.

270. CHAIRMAN.—Now, the question is, will Mr. Jennings after hearing what the Mayor has said oppose any more this proposed extension?

271. Mr. Lawrence.—Mr. Jennings will consider the matter.

MR. ROBERT WALKER, *sen.*, examined.

Mr. Robert Walker, *sen.*

272. You are City Surveyor?—I am.

273. You prepared this map?—Yes. (Map A produced.)

274. In that map you have shown the existing boundaries of the city?—Yes.

275. And also the boundaries marked out according to the resolution of the Council?—Yes.

276. That is by the dotted line?—Yes.

277. Can you tell me what acreage is taken in, within what is called "No. 1" on the map?—Yes; 315a. 3a. 36p. is the area.

278. Are you able to tell us what is the valuation of that portion?—No; I did not go into the valuation portion of it. The treasurer did that part of it.

279. Now, look at "No. 2" on the map, that is the second extension you propose to the north, how much is that?—146a. 3a. 18p.

CHIEF.

Oct. 7, 1871.

Mr. Robert  
Walker, &c.

280. What extension would be comprised within No. 31-463A. Is it 21/2.

281. Now, the Corporation propose to take off a portion of the North-east Ward?—Yes.

282. What would be the extent taken off?—106A. Is. 33r.

283. That is to the north-east?—Yes.

284. Mr. Walker, can you say, does all the property taken in within this increased radius derive exceptional advantages from its proximity to the city?—Certainly it does.

285. Can you tell me independently of that area to what extent does the corresponding district derive exceptional advantage from being approximate to the city?—I believe that for a distance outside that area the advantages of the city extend similar to those enjoyed by the people within the proposed area or extension.

286. To the north-east, how far would you say such advantages extend?—I should think within a radius of three miles.

287. Mr. O'BRIEN.—Do you mean from the centre?—Yes.

288. CHAIRMAN.—With regard to the west, do you make the same observation regarding the distance to which the advantages extend on the west?—Yes.

289. That is about three miles?—About that.

290. You mean I take it that these exceptional advantages are enjoyed not merely by gentlemen's residences at the north-east of the river Lee abutting on the road, but also by the farmers?—Yes.

291. That is, as I understand you that land situated within the distance of say three miles from the centre of the town would be more valuable than land of the same quality four miles away?—Yes, and so, no evidence of that I may mention that a builder in Clark built eight houses outside the boundary, six or eight houses, in fact, a range of cottages or houses on the Westmeadow, and he found it so difficult to let these that he built six more within the borough, because he has all the advantages of lighting, and so on.

292. Mr. O'BRIEN.—The letting value was greater?—Yes.

293. CHAIRMAN.—Is it that the letting value of the houses within the borough was greater than that of those outside the boundary, immediately on the same line or terrace of houses?—Yes.

294. Was that from the advantages they had from being included within the borough area?—Yes.

295. In the way of watering, sanitary arrangements, draining, and so on?—Precisely.

296. Now, Mr. Walker have you calculated at all, whether or not, suppose that those occupiers within that three-mile radius, of land were brought in within the city, have you calculated I say whether or not the Corporation could keep the roads within that area at less or equal cost to the occupiers?—I think they could do it at an equal rate at all events, I did not make a calculation, but it certainly would not be more, for there would be no difficulty in getting the same contractors to do the work.

297. At all events, do you think they would be kept up as well for the persons using them outside as at present, and at the same rate?—Yes; no doubt.

298. Mr. O'BRIEN.—Were not some of the roads transferred to the Corporation from the Grand Jury in your time?—Yes.

299. And are they not now better kept and in a more satisfactory state than before?—They are certainly kept cleaner.

300. CHAIRMAN.—Do you consider the work as previously done by the Grand Jury is as well done as before?—I think there is a greater thoroughness in them than when they were in the county, and they might, therefore, cost a little more to keep in perfect order. But they are better kept.

301. Mr. O'BRIEN.—Do you then consider that you

are in as good a position to maintain the roads as the Grand Jury are?—Yes; I do.

302. CHAIRMAN.—I take it the increased expense of maintaining these roads in good order is counterbalanced by country traffic?—Yes; and chiefly occasioned by persons building in the neighbourhood.

303. Of course all the pieces of labour and material have risen?—Oh, yes, thirty per cent.

304. Does that apply as well to country roads as to anything else?—Certainly.

305. Is it not a fact that the money to be paid to contractors is not so paid until six months after the Presentation?—Yes.

306. And I believe it is also the fact that in the city the money is paid down "on the nail" for such works?—Yes.

307. Accordingly, if the outcost were taken by the city, it could be done at ready money, and could be done more expeditiously, and, I presume, more satisfactorily?—Yes.

308. Mr. Walker, as City Surveyor, would you say there was any difficulty in the Corporation doing the sanitary arrangements of this extended area?—As you think if the extension were made, they would have any difficulty in fulfilling the functions of Urban Sanitary Authority?—No; I don't think there would be any difficulty at all. It might, no doubt, cause the addition of a few men—that is all.

309. And would not the Corporation be in a better position to manage the sanitary work for the radius of three miles than the Board of Guardians who are charged with a larger territory, and with as many other functions?—Yes; and they would be compelled by the people to do so. They have no money as the Corporation.

310. Is the difficulty of keeping your streets clean, and so on, to a considerable extent, increased by the gentry using these streets, and the town farmers, if I may so call them, using these too?—Yes.

311. So that at present the outgoings, of the city are actually paying for the benefit of these people living immediately outside, and who contribute nothing at all?—Yes; and the ratepayers very often complain of it, and feel the smart of it.

312. Mr. LAWRENCE.—You say, Mr. Walker, that the Corporation can keep the roads more cheaply than the Grand Jury—do you know the cost of the western road to the jail?—No.

313. Do you know what the cost of the road from the county jail into George's-street is?—No; I make no calculation.

314. Is there any difference in the condition of the road there—is not the city side the dirtier of the two?—Yes; in consequence, perhaps, of the increased traffic from Mr. Jennings' quarries. In speaking of the Corporation being able to do the work more economically, I only speak from my own general experience.

315. Have you formed any estimate of what is the cost of keeping the streets in the condition in which they are at present?—No; I have not made an estimate of it.

316. When you say the roads can be more economically kept by the city, is your statement based upon anything more than mere surmise?—No; it is not surmise.

317. Have you then got any data?—My experience only.

318. Have you any calculation made out on the subject?—I have not any calculation with me.

319. Have the Corporation ever brought out that account?—Yes; they have it all in their annual account which I could have had here if I thought it was necessary.

320. Mr. O'BRIEN.—Was there a sewerage scheme under consideration, contemplated to be executed?—Yes.

321. Will that improved system of sewerage involve

considerable expense?—Yes. Mr. Cotton, C.E., can tell you about it.

321. Can you give us an estimate of how much it will cost?—No.

322. At all events it will be a very considerable expenditure?—Yes.

323. And there will be an increase of taxation?—Yes.

324. And will that scheme, when carried out, be calculated to benefit not only the city, but also calculated to confer advantages on the surrounding districts?—Yes.

325. And it will, I presume, be the means of improving the health of Cork?—Yes.

326. And any scheme, I presume, which will effect an improvement in the health of the city may be considered as calculated to improve it for the advantage of those who resort to it as well as for those who live in it?—Yes.

327. The advantage of the area around?—Yes.

328. Mr. Lawrence.—Is not that scheme intended entirely for the fit of the city?—The whole town is taken in.

329. Is not the tidal water a difficulty?—Yes, that is the principal difficulty. It will take in and include the Western-road, the southern districts, and the north, to a considerable extent.

330. Is it not a fact that the reason it is proposed to exclude the North-east Ward is that the people residing up there have been clamouring for water and gas, and, in order to get rid of their complaints, the Corporation are turning them out of the city?—I know they have water, and that they have been asking for gas.

331. And you won't give it to them?—I don't know what the Corporation will do.

332. Don't you want to get rid of them—that is what we are afraid you will do with us on the western side.

333. CHAIRMAN.—Is it the case that the inhabitants up there applied to the gas people to lay mains for the Corporation, and that the gas people said, "We cannot lay them at such a rate; the place is so impetuous that it would be impossible"?—Yes. I made an estimate of the lighting of that district, and I think I found that it would require twenty-seven lamps to light the place; and when the gas company were applied to they would not lay down mains unless the

Corporation lighted forty-two lamps, the cost of which would be about £4 a lamp.

334. There is no objection on the part of the Corporation, as far as you see, to let that portion—that is, the north-east portion, at present proposed to be excluded—to let them in, they paying a differential rate and not getting the benefit of gas and water?—I don't think they would object.

335. Now, Mr. Walker, may I ask you, in your opinion, would there be any difficulty, in the three-mile radius proposal, to carry it to the northward or southward, or do you think the lands in the north derive the same exceptional advantages as Douglas-road or that part?—They derive the same advantages, but I don't know if it is as likely to be used as building ground.

336. Mr. O'BRIEN.—Have you powers as to the gas company, or can they change what they like?—They are bound to supply us where all their mains are. Under the present contract we can compel them to supply any portion of the borough. There is an appeal to arbitration. As to the lighting of the place mentioned, I may say that the Corporation did all they could. The longer the mains the greater the waste, particularly as this ground was so very high; and, under all the circumstances, what we have done is to make arrangements to supply light—to light it with oil. We could have referred the matter to arbitration, but it would have cost too much. It would have cost £500 a year. At the present they are putting up oil lamps.

337. Mr. Lawrence.—I would like to suggest a question to Mr. Walker. I would ask how far do the sewers go by the Western-road—do they go to the borough boundary at present?

338. Mr. Walker.—No; but it is under contemplation to extend them to the borough boundary.

339. How far do they go at present?—They go as far as Marley-street.

340. How far on the College-road do they go?—Very near to the College. It goes as far as the entrance to Parrot's, or a little beyond it.

341. CHAIRMAN.—The Corporation have engaged a gentleman for the purpose of laying down a comprehensive system of sewers. What more can they do? When that is done they might borrow the money from the Board of Works, and they would then have a proper scheme.

#### Alderman BURKOWSKI examined.

Alderman  
Burrows.

342. I would not wish to volunteer any evidence, but as I have been asked my opinion I will give it. I have been for a period of over thirty years a member of the Corporation. I am also a member of eight committees—three ordinary committees and five special committees.

343. CHAIRMAN.—You have heard the extension proposed by the Corporation—at all events, is that a measure that you would sanction?—Certainly; I would go a little beyond portion of it.

344. Are you, as a citizen, able to say of your own knowledge whether those at all events who reside within that proposed extended area derive benefit from their proximity to the city—such benefit as you think should entitle them to pay something towards it?—Most decidedly.

345. You have said you would even be in favour of taking in a little beyond that proposed area, would you say how far?—I would not go to the extent suggested here to-day by the Chairman; I would not go fully to that extent, unless there was a differential system of taxation adopted with reference to the places included.

346. Then I take it you would propose within the area now sanctioned and suggested by the Corporation, to give every one the same advantages as those enjoyed by the citizens in the fit of the city; but are not prepared to give the same advantages to every one outside?—Yes, with one limitation. Not being able to attend the meeting of the Corporation yesterday, I understood that Mr. Pyke's and some other places on

the one side of the Blackrock-road were omitted in the proposed area; I was for including them and Blackrock Castle, Rosborough, Ringsman, and the Ring of Blackrock.

347. That has been done. The Council propose to bring in Ringsman Castle?—I would take in the Ring.

348. CHAIRMAN.—Would you take in Mr. Pyke's in the Douglas district on a differential rate?—Yes, I would take in the places referred to on the same conditions as those applied to every one of the inhabitants of the borough, but Douglas on a differential rate.

349. What would you suggest as fair—at present, as the law stands, it would be one-third?—I would take it at one-half.

350. Would you apply the same remark to the north-east towards Glasnevin?—Yes, I would place the same conditions upon them.

351. A differential rate?—Yes.

352. Well, now, as to the portion of the North-east ward that the Corporation suggested should be excluded from the present boundary, would you be in favour of leaving in that with a differential rate?—Yes; for I think they ought to retain that and impose a differential rate.

353. Do you agree in the opinion that has been expressed that the land outside the city, and the residents derive an exceptional advantage from their proximity to the town?—Yes.

CHAM.  
Feb. 2, 1879.  
Alderman  
Burrows.

355. How far would you say that advantage may be considered to extend to?—I should say from two and a half to three miles from the centre of the town.

356. That is to say, you think that the people living there, the gentry having property there, and the people coming in and using the schools and places of worship, the fairs, and so on, all derive advantages?—Yes; and by disposing of their farming produce.

357. Mr. O'BRIEN.—When you speak of applying the principle of a differential rate, where would you draw the line? Would you apply it in particular?—I tell you what I would do. I would take the boundary suggested by the Chairman of the Commissioners, and I would contend that with the boundary adopted by the Corporation, and the immediate space or area I would apply the differential rate to.

358. And you would add that corner that has been spoken of, and which it was proposed to exclude?—Precisely, for it is at present unproductive, and is not likely hereafter to be productive to the Corporation.

359. CHAIRMAN.—That is you would adopt the extension as agreed to at the meeting of the Corporation, and would apply the same rate to the area brought in as applies to the city proper, and then if the boundary is increased, to say three miles, whatever land or road-deeds would come in extra, you would make liable to a differential rate?—Yes.

360. The only qualification you would make, as I understand, would be that you would make Mr. Pyle's place pay not the differential but the full rate?—Yes.

361. Mr. O'BRIEN.—But that is outside the boundary?—Yes. The line I drew in my imagination was the fifth pennyway at the east of the Lane to Blackrock Castle, going back, taking in the Ring and Mr. Pyle's place, and going round to the road adjoining. I would take that in as the borough and subject that to the whole rate, and everything outside that to the differential rate.

362. CHAIRMAN.—Could there be any difficulty in your opinion in the Corporation, if this was brought in as part of the city, in their carrying on the sanitary arrangements?—Oh, not at all. We have Public Health Committee. I think they would do the work admirably.

363. Is it your opinion that the roads would be better attended to by the Corporation if they had control over them?—Yes; my objection is that the roads adjoining the borough are vastly inferior to those kept by us. I may mention an instance to show that that is so. Three times the Corporation begged and implored of the County Grand Jury to establish a proper road or footpath to Lonsome from Sunday's Well-road. The footpath is only eighteen inches wide, and it is almost impossible for any one to walk on it. It is the principal outlet. I may mention that I was on two deputations from the Corporation to the Grand Jury to get something done with it, and this was all the answer made by the Grand Jury, "We have no power." They told us to apply at the next Douglas Sessions, and that they would try what could be done. Nothing however was done to remedy the defects so much complained of. Such a state of things could not exist in the city of Cork for twenty-four hours after proper complaint had been made, and proper investigations as to the state of the road. It remains to this day impassable. If you want to go to Mr. Young's, or such place, you must walk in the centre of the road.

364. It was mentioned during the day as to going to one of the secretaries that the footpath was in a bad state?—Barrowan.

365. Has land on the Western-road deteriorated in any way?—I don't know that it has.

366. Mr. LAWRENCE.—I believe that the complaint about Lonsome-road was that although it was good enough for an ordinary road there was required a superior footpath?—No, but that it was a sham and a deception to call it a footpath.

367. As to the keeping of the road itself had you any objection to it?—I did not turn my attention to

that. I only went in a deputation about the footpath. It is nothing to boast of.

368. CHAIRMAN.—It was suggested that the land to the westward of the town immediately outside and running westward is deteriorated in value?—Oh, ridiculous; it must have been some counsel who put that forward.

369. Mr. LAWRENCE.—Have you never, as a member of the Town Council, heard complaints of property in the West being depreciated or being deteriorated in value?—No; in what way deteriorated?

370. In value?—No; not as you suggest.

371. CHAIRMAN.—It is suggested that the letting value of the houses in Main-street have deteriorated?—In the flat of the city, of course, from the obstruction of the traffic or some such cause, there may have been some such depreciation of letting value, of course, but you might as well go back to Blackpool seventy years ago.

372. Mr. LAWRENCE.—The same process is going on in the West now.

373. CHAIRMAN.—Of course, in process of time, streets once fashionable and bustling, such as Main-street in Dublin, become gradually depreciated when the city grows in another direction?

Witness.—We are all here to consider the proposed extension of the borough boundary, and with the interests of the city at heart, to improve it, and we ought not to take any narrow or sectarian or political view as to how it will affect us.

374. CHAIRMAN.—You stated that you did not quite agree with the proposal of the Corporation as to the boundary of Blackrock; that you had not an opportunity of being present at the meeting to consider it, and that you would have been in favour of going further south and of including a larger area, taking in Mr. Pyle's and all that area you have mentioned?—Yes.

375. When you considered that, did it occur to you that that area included a great many cross-roads which would involve a considerable annual outlay on the part of the Corporation? Did you hear that point in reply?—I did; but I take it the people at those cross-roads would not be more unreasonable than the people at the borders of the city, and would be content with a fair return for the taxation imposed, but would not expect to have gas laid on as many feet, and to have it brought to their very doors, and to have pipe water brought to the top of their houses. I had that in view. But I also have in recollection that we had reasonable people as well as unreasonable people. We cannot be expected to take up the idea of Mr. Lawrence that the Corporation are to be bound to do certain things, and if there was one single omission of goodwill, say, the rate was to be raised because we did not comply with the conditions. Rome was not built in a day. We could not borrow a million of money, but we must be reasonable and take things as they come, under all the circumstances. As matters are agreed on and passed by the Finance or Standing Committee of the Corporation, we take up things that are most necessary to be done at the moment, and after making arrangements with scientific and clever men, we apply for money and carry them out.

376. CHAIRMAN.—The Mayor stated here to day on behalf of the Corporation, that the Corporation had intended to extend the benefit of the city works to all this area they propose to include in the new plan; and that being so, that having been understood, would you adhere to the project as to enlarging Blackrock district and taking it in as far as Mr. Pyle's?—I would.

377. Mr. LAWRENCE.—Would you give the benefit of the differential rate to houses as well as to lands?—No. I would not as to houses, but I would give it to lands.

378. CHAIRMAN.—The only thing also I have to ask you is whether, according to your experience and knowledge of the western portion, there is any reason why the ground and land there and the houses should be put on a different footing from the houses at Glanville and Blackrock side?—Oh, I would have all the same.



Mr. PATRICK O'BRIEN examined.

CHIEF,  
 Jan. 2, 1873.  
 Mr. Patrick O'Brien.

379. CHAIRMAN.—You are a town councillor?—Yes, I have been for sixteen or seventeen years.

380. And I believe you are one of the representatives for the West ward?—Yes.

381. Now, is it your opinion that the property at the West ward is depreciating in value?—I will give you a case in point on the subject. I live in Great George's street and a house which twenty-five years ago I could not at £25 a year I have now to pay £50 a year for.

382. That does not look like falling off certainly. Do you know what is called No. 1 extension?—Yes.

383. Is your opinion did you and do you now agree with the suggestion of the Corporation at their last meeting?—Yes, at least I would be for a more extended area in so far as the north portion of it went.

384. Now, so far as the dotted line is concerned—the dotted line on this map—do you approve of that as a boundary?—Yes, with the exception of the excluded portion of the north-west.

385. Is it your opinion that all the property in that area should be liable to the same rating?—Yes, giving the same advantages as the citizens enjoy.

386. Independent of that are you of opinion that any portion of land extending beyond the present area derives exceptional benefits from the city?—Yes.

387. To what extent would you say that advantage or benefit extends?—I should say from two and a half to three miles.

388. From the centre of the town?—Yes.

389. In consequence, I presume, of the increase of the markets where produce can be disposed of?—Yes. In the first place the landless any live in Dalmeida or London and get £3 an acre; when, perhaps, it would be very much less than that further on, say five miles out.

390. And his tenants are able to pay increased rent to him?—Yes; both the tenants and landless derive advantage.

391. Now, as to the market gardens at Douglas, they are more value than £3 an acre?—Sometimes they go to £8 an acre for those gardens as a result of their proximity to the city—they sometimes make so much as that on a acre.

392. You would be in favour of making these people pay a differential rate?—I would.

393. To what extent?—Their present rate is one-third, I would make it one-half.

394. As to the portion of the North-west ward the Corporation is in favour of extending, are you of opinion that that should remain within the present boundary at the full rate or be left in the extended area at one-half?—On principle, it being within the city at present and paying the full rate, it should remain on the ground that it paid the full rate up to this, and that now we should not exclude it, and deny it advantages.

395. And you would give it light and water?—Yes.

396. You heard Alderman Burrows's suggestion as to bringing in Burslem and other places, is it your view that they should be brought into the city and pay the present rate, or that they be brought in on a differential rate?—In 1868, the Corporation was going to Parliament for a Bill, and intended to extend their boundaries, and owing to threatened opposition they relinquished that portion of the Bill, and were of opinion that the peninsula of Blackrock should be included. I fully coincided with them, but from the statements made here to day I should consider myself justified in confining myself to the portion brought in by the Corporation, and charging them the full rate, giving them at the same time the full benefits of the citizens; but I would go as far as the Chairman bringing in the whole peninsula giving them the differential rate. I would make the Douglas Channel a boundary, that was the original intention in 1868.

397. But you would make the portion between the dotted line and that boundary pay a differential rate?—Yes.

398. Now, would there be, in your opinion, any difficulty, if that extended area of say two and a half or three miles was adopted, in the Corporation taking

the management of the roads and sanitary matters?—No; I think it would be a great advantage not only to the rural sanitary authority, but to the urban; for I hold that you cannot have a healthy city unless you have a healthy suburb, and no one can manage that so well as an urban sanitary authority. I have been a member of the Board of Guardians, and believe the urban sanitary authority to be much better.

399. Do you think that the roads would be better attended to?—Yes; for I know that all the roads that are attended to by the Corporation are better kept than those that are not.

400. Then it is your view that both parties, those outside and those inside the present boundary, would mutually derive benefit by this arrangement?—Yes; there is not the shadow of a doubt of it. I was going to say that taking the Western-road, a few minutes walk from where we now sit, the Corporation have made two excellent footpaths—one at the north, and one at the south—the width being about eleven feet. The footpath to Wellington's-bridge is two and a half feet wide, two persons can scarcely pass, and it remains so, although we have applied again and again to have it widened. If that portion complained of was under the control of the Corporation, it would be an advantage not only to the Corporation and the city, but to the country people. We had to make a footpath to our new cemetery, and had to pay one-half the expenses; we got scarcely any assistance from the Grand Jury. There is scarcely any building-ground now except what you get to the south-west part of the city and Blackrock.

401. Is there a great want of house accommodation in Cork?—Yes.

402. Mr. Lawrence.—Now, about the Western-road and ground near it, if left to itself in its present condition, would not the tenements—any houses that might be placed there—the under-water for several months in the year?—Oh; certainly not.

403. Are not the fields there full of water for at least a month or so in the year?—Oh, no. Of course, if there are floods, the place must suffer. When there are floods, the city itself is under water.

404. Does it not become necessary when buildings are being erected, that foundations should be made in every instance?—To be sure it is necessary.

405. And does not that entail considerable expenditure?—It is some expense, no doubt.

406. Don't you think when building is carried on under such difficulties as that, there should be some indulgence extended to the locality?—There is great anxiety, I know, to get land for residences; since the building of the North Gate-bridge, there have not been many floods; they have not been so great, save at exceptional times.

407. The Mayor.—I wish to add a word or two to my evidence of this morning with reference to "No. 1" extension. I wish to say that there is a point omitted in my evidence, and the evidence that followed it. From the point of Shamrock-road, the present Lord Cork, who is the owner in fee of a great deal of property in this district, and who is every day improving his property, has constructed a new road through his property to the Blarney-road. The road is there, and I point it out to show that it affords additional reasons for the extension. Lord Cork has laid out building plots, and eventually it will be covered with houses; and, besides that, the present entrance to Cork is through the Blarney-road down to the weigh-house; and, in future, the countrypeople will come through Shamrock-road and Blarney's Well-road.

408. Mr. Lawrence.—I believe Lord Cork was recently stating compensation for land taken by the Corporation?—Yes.

409. And it was then that this plan, with all the building ground of which you speak, was shown?—Oh, I am quite ignorant of that.

410. Did I understand you to say that the road was actually made?—Yes.

ALDENHAM HENRY PAUL examined.

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Jan. 7, 1878.  
Aldenham  
Henry Paul.

411. CHAIRMAN.—You are a member of the Cuck Corporation?—I am.

412. You represent the South Centre ward?—Yes.

413. Where do you reside yourself?—Just outside the borough boundary, on the Blackrock road.

414. You have heard the evidence as to the Blackrock road, and you have heard it stated that the greatest blessing they could have there is gas light—what is your view of the matter?—I am sorry to say I lost my brother owing to there not being gas there. The Victoria-road, leading from the station, is a sort of robbers, owing to the want of light. There are four or five passages they escape by, and they get through the fields and over the old Blackrock-mead, and it is impossible even to put a policeman on the track there, it is such a pitch-dark place, and it is on the very brink of the borough boundary; and what makes it more dangerous is now the jetties have come there; and there is a bridge across, which brings all the sailors and followers from the Blackrock-road. It is a most dangerous passage at night, and you will find that hundreds of people will not come down to Blackrock at night, owing to the darkness of the road.

415. You have seen and heard the proposed boundary, as suggested by the Corporation?—Yes.

416. In your view would that be, at the least, a fair extension?—Yes.

417. Do you think that all within that area should pay the same rate?—I do.

418. Have you considered whether it would be right to extend the area further than that?—No; I have not considered that.

419. You did not consider that?—No; because the question did not come before us.

420. You, as a merchant in the city, must know very well whether property within the immediate neighbourhood of the city derives exceptional value from its proximity to the city?—Undoubtedly it does.

421. Do the residents in the locality of the town derive exceptional advantages from their proximity to it?—No doubt; the difficulty is where to draw the line.

422. You have heard the radius suggested of extending as near as possible to three miles—can you say whether or not, in your opinion, the property does derive exceptional benefit within that radius?—Of course it does, in every way; the market gardeners and people get a great deal more for their produce than if they lived away at a greater distance.

423. In other words, the landlord gets higher rents, the occupier gets advantages which enable him to pay the rent, and the householder has greater advantages than if he lived farther away from the city?—Yes, and

they cut up our streets, and they have every right to pay for it.

424. You consider it fair that they should pay some rate within this area. How you considered, supposing this boundary was extended, whether they should pay the same or a differential rate?—They should pay a differential rate. Where you don't give them the advantages, you can't expect the same rate from them.

425. What would be a fair differential rate?—I should say half.

426. You are aware that on the north-east of the present boundary the Corporation propose to cut off a piece?—Yes.

427. Would it be fair to leave that portion in at a differential rate, or would you keep them within the present boundary, and make them pay the full rate, and give them all the advantages of the city?—The expense of getting gas up there would never pay the Corporation, and I would be for leaving them in at the differential rate.

428. Do you see any difficulty in the way of the Corporation with regard to their taking up, as the sanitary authority, the sanitary arrangements that would be comprised within the increased area?—I don't see there would be the slightest difficulty in it. I think it would be better done by the sanitary authorities of the Corporation.

429. In your view the same with regard to the roads?—Yes; I think the roads would be kept far better than by the Grand Jury.

430. As I understand it is your view that it would be for the mutual advantage, both of the parties outside and those within the municipal area, if the boundary was altered to a considerable extent?—It would; but the outsiders should not pay the full rate.

431. No; but the outsiders at a differential rate, and the insiders, within your dotted line, at the full rate proposed?—Yes.

432. Do you happen to know whether the residents at Blackrock generally object to this or not?—I have spoken to two or three of them, and some have no objection and some have not. I could not say generally that they wish to come in.

433. Mr. O'Brien.—What is the objection of those who do object?—That it would increase the rates.

434. CHAIRMAN.—They don't mind running the risk so much of coming down the Victoria-road and meeting the charabancs you mentioned?—Well, as the Victoria-road, I may tell you, that eight or ten of us in that locality offered the gas company £3 a year again to light that road, and the company refused, unless any one of us became guarantee to the gas company for the payment. They would not collect it, and the road remained in darkness.

JOHN TRACY examined.

435. CHAIRMAN.—You are a member of the Corporation?—Yes.

436. For what ward?—The South ward.

437. What is your view as to the proposed extension of the boundary?—My view is that only that the matter came so sudden on the Council yesterday, they would be inclined to go far further extension than they went for yesterday.

438. In your opinion is it desirable that the extension proposed by the Corporation at their meeting yesterday, at all events, should be adopted?—Yes.

439. Are you in favour of an increase in the extension?—I might certainly be inclined to have an extension at one point—the south-west point—if I were really to extend the area.

440. Where is that?—That is towards the cemetery.

441. In your opinion does the land within a certain distance around the city derive exceptional benefit from its proximity to the city?—Most certainly.

442. Well, in respect to that, is it your opinion

that they should pay something towards the rates of the city?—Certainly.

443. What would you say would be the distance to which the benefits fairly extend?—I would go as far further than what is proposed. I would go as far as the parliamentary bounds; I think they derive benefit as far as that.

444. The Corporation propose that the dotted line indicated on the map should be the boundary—that all persons within that should pay the full rate. Outside that line would you have complete paying the same rate as those within the city, or merely a differential rate?—A differential rate.

445. To what extent?—I should say one-half, and I would be for extending the city to the Parliamentary boundary.

446. You would go further than the other gentleman?—I think that would be the fairest boundary that could be suggested, and on this ground, because the people living there derive benefit from the city by reason of their proximity to it.

John Tracy.

WILKIN JOHN PORTER examined.

Cont.  
Jan. 1, 1879.  
W. J. Porter.

447. CHAIRMAN.—Where do you reside?—In the western portion of the boundary.

448. You are resident up there?—Yes.

449. Where exactly do you live?—On the western boundary immediately outside the boundary.

450. Do you know the boundary the Corporation propose at that side?—I understand it is out to the Model School.

451. Well, very close to it; they propose to take in the Model School and the new road that was mentioned shortly. Is it your opinion that that would be fair, at that side at the least?—I would not go so far.

452. Where would you suggest?—Immediately beyond the Victoria Cross. When I go beyond that I would have a differential rate.

453. You would extend the boundary as far as the Victoria Cross at the full rate?—Yes, at the full rate on houses.

454. But on land at what?—On agricultural land and market gardens at one-half.

455. How far would you go at the one-half?—I would extend the boundary away to the west, at a differential rate, to the Model Farm. That is more than half a mile.

456. Are you of opinion that lands, say within three miles of the town, derive exceptional advantage?—I would not go, say, beyond Inchigargin.

457. How far is Inchigargin from the centre of the town?—About four miles.

458. Would you go four miles from the centre of the city?—About three and a half miles to the west.

459. And the difference between the Victoria Cross and that three and a half miles boundary you would have at a differential rate?—Yes.

460. Have you the same views with regard to the east, and south, and north?—I would take in the whole of Douglas-road and Douglas.

461. At the full rate?—Yes; because on the Douglas-road there are fifteen gentlemen's residences, and each of them must be valued at £40 a year; and on College-road I am building a house, and I am immediately outside the boundary, and I will be taken in by this boundary.

462. Do you propose that you should get the benefit of lighting and water?—Oh, certainly.

463. But suppose you did not get the benefit of lighting and watering, and were yet brought in, would you say you should pay a differential rate?—Certainly.

464. To what amount?—Is it one half?—Yes.

465. You propose, in fact, a radius of three and a half miles from the centre of the city?—Yes.

466. And making a differential rate for all who were outside, and not getting the full advantage?—Yes. It is nearly three and a half miles from Netherplace to the lower end of Tivoli, which is within the boundary.

The inquiry was then adjourned until next morning at 11 o'clock.

## CORK.—WEDNESDAY, JANUARY 8TH, 1879.

Jan. 8, 1879.

ALEXANDER McCARTHY, Town Clerk, recalled.

Alexander  
McCarthy.

467. CHAIRMAN.—The Corporation of Cork have on hand or in contemplation several works?—Yes, they have on hand or in contemplation the following works: the building of a bridge at £140,000; a scheme for drainage and sewage which has not yet been prepared, nor of course the cost estimated; and an artisans' dwellings scheme, amount not ascertained.

468. Mr. O'BRIEN.—Was not there an estimate of the probable cost at the time you got the artisans' dwellings scheme prepared?—Yes.

469. How much was that?—£40,000.

470. Mr. Lawrence.—You have no estimate yet for the drainage scheme?—No, we don't know what it is.

471. Had you in contemplation the laying out of £60,000?—We contemplated laying out £100,000 some years ago.

472. It appears that the city debt is £194,523 4s. 9d.—Yes. £150,000 is the debt, something under £300,000, and there are unrestricted powers under the Water Act of about £50,000. That debt has been reduced at the rate of one-sixtieth on a sinking fund.

473. Don't you also contemplate making a new reservoir and considerable other improvements in the water supply?—Yes.

474. And these will be in addition to the schemes mentioned?—Yes.

475. CHAIRMAN.—Of course as the demand for water is increased you will require to increase the supply at the source?—Yes.

476. Mr. Lawrence.—Is there any estimate of the probable outlay there will be on the waterworks in

making this extension?—There has been an estimate, but I haven't it.

477. Is there anyone here who can give it?—We were going to borrow £30,000 some time ago, but that was postponed until we got another engineer.

478. CHAIRMAN.—Was it postponed on finding this Commission turned, because the water supply to a certain extent would be regulated by the boardworks you get, if they are altered?—No, sir; that did not enter into our calculations at that time.

479. But now that fact would have weight with you?—Yes, now it would, but we have power to supply water five miles outside the boundary.

480. You contemplate an outlay of £150,000 on sewerage works, drainage, artisans' dwellings, and bridges?—Yes, but the artisans' dwellings will not be altogether lost.

481. But that is the extent of your liability?—Yes, no doubt.

482. And as far as I understand your waterworks are amply sufficient for the present municipal boundary?—No, they are not.

483. Not sufficient at present?—No, they are not in a satisfactory condition, for we are obliged to depend on one engine for our supply, and if the engine happened to break down the supply would be stopped. It is for the purpose of getting a second engine and additional reservoir accommodation that we are going for the additional powers.

484. There is also a filter reservoir being provided?—Yes, it is nearly completed.

The Mayor of Cork recalled.

Mr. Patrick  
Kennedy.

485. Mr. O'BRIEN.—You were asked yesterday whether under the Local Act in Cork there was any differential scale of rating analogous to that which is prescribed in the 62nd section of the Towns Improvement Act, and I understood you to say there was not?—I believe not.

486. When the Town Clerk was examined afterwards I asked him a question on that point, and I understood his answer to be this: That your Local Act incorporated the Towns Improvement Clauses Act, and that any differential scale of rating prescribed by the 167th section of that Act was incorporated with

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your Act and become applicable to Cork. Now, what I want to ascertain is the fact whether there are any descriptions of property here made subject to that one-third scale there prescribed, and whether there is a differential scale in operation in Cork?—*Yes*.

487. Then there is a differential scale as regards arable lands and all lands used as meadow, nursery gardens, market gardens, and so on, of one-third of the valuation. I presume you did not prescribe any particular scale, but it is one-third?—*Yes*.

488. There was a suggestion thrown out yesterday that if the extended area suggested by the Chairman were adopted, the lands lying within that extension, but outside the boundary proposed by the Corporation, should only be liable to one-half. Now, was it intended by the witness that this state of things should arise—that lands within the present boundary were to be rated at one-third, while lands lying further off were to be rated at a half or one-sixth more?—*No*. I did not come here yesterday prepared to discuss anything outside the boundary we had marked, and we could not have had in our mind the putting of any value on the lands outside that, but what we intended to convey was that all these lands within this extended boundary were in future to pay one-half.

489. Perhaps you will be kind enough to be prepared on Friday to make this point perfectly clear?—*Yes*. So far as the prescribed boundaries are concerned and everything within it, we are perfectly clear—for having rates paid on one-half the valuation.

490. Then you propose that one-half should be substituted for one-third, and applied generally to the whole classes of property?—*Yes*.

491. You are aware that in the differential section of the Towns Improvement Act there are classes of property included, such as railways and canals which don't appear in the Act of 1847. As regards canals, you have none, so that there you are not affected, but you have railways. How do you rate the railways? Are they rated for the full amount, or on a reduced scale?—I don't know exactly, but the City Treasurer can tell. He says on the full amount.

492. Do the Corporation also contemplate the erection of a Town Hall?—*Yes*.

493. *Then Clerk*—They do.

494. What estimate was made for that?—About £30,000.

495. What is your income about?—£60,000 a year.

496. That includes everything?—*Yes*. The limitation to the improvement rate is 5s., but I don't think it ever went beyond 3s. 6d.

497. *Mr. Harcourt*.—I appear for myself as a taxpayer, and I desire to ask the Town Clerk a few questions. As to the increase of taxation on land from one-third to one-half, as the Council have recommended, his idea for that is, that the land ought to bear that proportion by reason of its being near the city, and having the various benefits from the city. Is that the only reason they recommended the increase?—I can't say.

498. *Yes*. In the course of the discussion, did they say that that was the only reason?—It was felt that a lot of ground that would be otherwise occupied is kept back by reason of its having a lower valuation.

499. This would include a good deal of agricultural and pasture land?—*Yes*.

500. So that it would go beyond what you say as regards building ground and more pleasure grounds?—The new area coming in would be available for building purposes also.

501. But it would include a good deal of agricultural and pasture land?—*Yes*; and I don't see why it should not.

502. As regards agricultural and pasture land, would there be any great difference by the extension—the advantages of lighting would not benefit it, nor would the sewage be any benefit to it, for it doesn't want it?—But they would benefit the owners of the lands.

503. How?—If a man has a house upon the land, as

he generally has, and he walks into town, he has the benefit of light on the road leading to it.

504. That might make it *due* to have the house valued?—The house would pay at the full rate, and the land at half.

505. And why half, when it has some of the benefits—namely lighting, sewage, and watering would benefit it? I take it there are the three chief things you tax for?

506. *Mr. Harcourt*.—The Corporation propose that every part of the locality within the line they lay down they should give the same accommodation as is given in the Grand Parade or Patrick-street.

507. *Mr. Harcourt*.—But put the question whether more pasture land will benefit by these three things which are supplied primarily to houses? I say there is a vast difference in the two cases, and the only distinction he makes in the ratio is by charging on half the valuation?—*Yes*, perhaps you are not aware that this land is valued in the county at the full valuation, and that it is rated on the full amount in the county, but on the new scale the increase would be exceedingly small for the additional benefits conferred.

508. That is chiefly because they are rated for roads by which the whole country benefits, but here its rating is for purposes only applicable to houses?—*No*. I think that on a road leading to an agricultural district light is of great value. For instance, on a waying like this light is very beneficial to the man coming into market in the dark.

509. *Mr. Lawrence*.—That is not at all possible. Do you think the farmers would pay for having gas-lamps placed through their farms?—Here the light is only on the roads.

510. *The Mayor of Cork*.—You asked me yesterday, Mr. Chairman, with regard to the position of the wards in the municipality of Cork, and I stated that the seven wards were the same for poor-law purposes as for municipal purposes. You also asked me how far the municipal wards covered the electoral division, and I said they differed very much—that the electoral division proceeded far into the country. I am prepared now to give you the exact position of the seven wards that compose the municipal wards, distinguishing them from wards for poor-law purposes.

511. *Mr. O'Hanlon*.—The reason why the question was asked was, that one of the views expressed by the committee was that wards for municipal and poor-law purposes should be made extensive?—The seven municipal wards cover an area of 3,683 acres, and their valuation is £150,988. The rural wards are four in number, and the first is Blackrock, and that comprises an area of 3,544a. 1a. 37r., with a valuation of £14,997 13s.; the second is Bishopscourt, which comprises an area of 2,429a. 2a. 7r., with a valuation of 46,309 10s.; the third is St. Mary's Ward, which comprises an area of 3,101a. 1a. 18r., with a valuation of 28,531 18s.; and the fourth is St. Anne's, which comprises an area of 1,170a. 3a. 27r., with a valuation of 24,064 13s.; so that, while the municipal wards cover an area of 3,683 acres, with a valuation of £150,988, the whole area of the electoral division of Cork is 15,021a. 6a. 7r., and the valuation £174,811 15s.

512. You were also asked whether the electoral division extended equally around the city, and you said it did not?—And I was afraid it was my answer that misled you, for I said it proceeded very far into the country in one direction.

513. Would you have the kindness to state how far the electoral division of Cork extends, taking it in each direction?—In the direction of Blackrock it extends to the Ring of Blackrock, and round by the Douglas Channel.

514. How far is that?—About an average of over three miles from the centre of the city. Bishopscourt, where it ends on the western side, is about two miles, and St. Mary's a mile and a half to two miles.

515. Then the electoral division doesn't radiate equally?—Not at all.

515. And you adhere to the opinion that it would be impossible to adopt the electoral division as the municipal district?—I do.

516. CHAIRMAN.—Do the wards for poor law purposes exactly correspond with the areas in the municipality?—Yes, they are of the very same extent, in fact our municipal area is divided for poor law purposes and municipal purposes just the same exactly.

517. Mr. James C. Blake.—I appear professionally. I don't live on No. 4 at all, but as a ratepayer in the locality I object to the proposed alteration so far as

it excludes No. 4 on Map A. on the ground that that is in the city at present, and the people don't see why they should be put out of it. They don't ask for the advantages, although they pay their rates in full at present, and they are willing to continue on that footing if they can't get all the advantages. I appear for some ratepayers, so I don't say "they" as referring to all the people; but I believe it is a great injustice to the ratepayers of Cork to have to pay for the county gentlemen around while they get all the advantages

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—  
Mr. Patrick  
Kennedy.

## TOWN CLERK recalled.

Mr. Alexander  
McCarthy.

518. CHAIRMAN.—In reference to the differential rates on the lands inside the borough boundary, that is at present one-third?—Yes.

519. I believe the average rates are about 6s. in the pound?—Yes.

520. Then you may say that 6s. being the whole rate, one-third would mean that these lands should pay 2s. on the whole valuation?—Yes.

521. Have you any idea what is the taxation under thirty-two?—I am told about 2s.

522. Therefore it comes to this—that at present land of that kind inside and outside the borough boundary,

pays the same taxation on the whole valuation?—Yes.

523. Outside the borough boundary what advantages do they get for that?—Nothing but roads and bridges.

524. They get the same advantages inside the borough boundary?—Yes.

525. And in addition they get what more?—Light, and water, and sewerage.

526. Then it comes to this—that these lands pay nothing for these additional advantages?—Nothing.

527. Without taking into account also the fact that they are desiring special advantages from being contiguous to the city?—Certainly.

## Alderman CORNELIUS KELLEN.

Alderman C.  
Kellen.

528. I come, having a good deal of land within the present borough. We have been charged one-third, and that is considered rather less than we ought to be charged, but I don't think you ought to charge any land that is cultivated any further more than one-third. In my own case it is a sort of grievance you will admit to charge me even one-third. I have a lot of land outside the northern part of the borough, and I never receive anything in the shape of any assistance for those lands. I don't blame the Corporation for they appear to be powerless. I live there, and I don't get gas or anything to compensate me except water, which I do not require, as I have plenty of water myself. It is a nuisance on farmers who don't receive any benefit, and I think it would be very objectionable to charge that rate at all. There are a lot of farmers there who don't receive any advantages. It is said the roads are repaired, but my road is no stop, that the repairs of one day disappear the next. And at present ought to be relieved as regards taxation, for I don't think the working farmers of this part of the country were ever so badly off as at present. Mr. Blake shows himself a bad witness, for if I was to live on farming in this country I would not live an hour, so bad is the business. I hope it will revive; but I think it would be very objectionable to tax them more than one-third. It is said you should tax market gardens, and if you do it is not the man who receives the rent you are taxing, but the unfortunate tenant, who has to work the soil.

529. CHAIRMAN.—You heard the recommendation about dividing the rating between landlord and tenant?—I am sure whatever decision you came to would be adopted by the House of Commons, and I wish to point out that the landlords bear through our streets, and long may they do so, if they assist us in paying the rate.

530. CHAIRMAN.—Suppose land five miles off from the city, and land down about Douglas—doesn't the land close to the city bring greater value than the land further off?—No doubt of it.

531. What is the cause of that— isn't it the proximity to the city?—Yes, but I think the parties taxed in that way should get some facility in regard to light.

532. But first isn't it from its proximity to the city that the land gets that additional value?—Yes.

533. Don't you think, then, that as that land is more valuable than land further off on account of its proximity to the city—it should contribute something?—That might be so formerly, but owing to the facilities of the railway, now from further parts of the country can come in and have the same advantages.

534. You know the present boundaries?—I do.

535. Do you think the present boundaries ought to be extended?—I do.

536. Are you aware of the boundary proposed by the Corporation on Monday?—I was not here on Monday.

537. Have you seen the map?—No; but I heard the remarks of the parties who made the boundary. Great stress is made about the land being made more valuable by reason of its proximity to the market, but you forget that it has to pay a higher rent for that purpose.

538. Therefore the landlord should pay something, and as far as the tenant is concerned, he gets better means of paying the increased rent, in consequence of his proximity to the city?—He has to pay four times the rent they pay further off, in consequence of being so close to the city.

539. Mr. Lawrence.—Is land close to the city for higher valued for rating purposes than the same class of land out in the country?—I think it is in some places three and four times as much.

540. Valued at three or four times as much?—Yes.

541. Don't you think that is paying the city for the facilities they enjoy?—Well, indeed I do.

542. The Mayor of Cork.—Suppose the land is valued higher, what advantage is that to the city?—It is a disadvantage if you increase the rent of it by taxes.

543. You are speaking of the present rent of the land and its valuation. Surely that is no advantage to the city?—It is an advantage; you get a third out of it.

## Mr. FRANCIS A. JENNINGS examined.

Mr. Francis A.  
Jennings.

544. To Mr. Lawrence.—I hold a lot of the ground on No. 1 on the map, on the western extension.

545. Of the 325 acres proposed to be taken in, how much do you hold?—About 150.

546. The ground on which the Corporation propose to extend their boundary is that there are several populous districts contiguous to the city that require

lighting, sewerage, and water supply. As to the 150 acres that you hold is that property described as a populous district?—It is not.

547. Take first the land between the river and the Western-road dyke; is there any building on that at all?—There are only two small cottages.

548. Does this require sewerage and light?—No; they

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Mr. F. A.  
Seamings.

have never got either water or sewerage. They are very small cottages these. One is at the end of the dyke, and the other is uninhabited.

548. CHAIRMAN.—Are they between the dyke road and the western channel of the river?—They are on the dyke wall.

549. Are they at the north side of the dyke?—One at the north, and the other at the south. One at each side of the dyke.

551. Mr. Lawrence.—And the rest is open fields?—Between the dyke and the western stream, between the north channel and the western road. All that is not inhabited, except these two houses.

552. At the other side of the western road, within the limits of your property, what number of houses are there?—There are Spillane's public-house, the Western Cottage; beyond that is Mr. Haycroft's, and the Viskoke Cross, and the toll-house, and the dyke-house.

553. The greater part of the eastern side of the Victoria Cross is all open fields?—Yes, and all liable to be flooded.

554. Mr. Murphy.—That land your property?—Yes; about 75 of the 150 are liable to be flooded every year.

555. Mr. Lawrence.—Is there any demand by any person in that locality, that you are aware of, to have a union with the municipality?—Not one.

556. What is their feeling on the subject as far as you know?—It is totally opposed to it in every way possible.

557. Do you believe they will gain any advantages that will compensate for the additional taxation put upon them?—I don't think they will get one of the most important. I point out as to the question of sewerage, that even were the Corporation to come in to-morrow, I don't see that one of these houses in the whole of that district would benefit by sewerage in any one way whatever. They pay for sewerage in the occupied streets of Cork, which are very badly served, and they would not gain a single advantage from sewerage. I think it is a most important thing to look to the position of the city—involved in enormous expenses after borrowing money for sewerage works, perhaps from £60,000 to £100,000 about to be laid out at present, but they have no money to do it, every leave this western scheme, that they talk so much about, without sewerage? It goes up to the end of Great George's-street, and although I have a tenant of mine on the way, and am interested up there, there is not a particle of sewerage for all the houses on that road, nor is there likely to be any for twenty or thirty years.

558. The sewerage stops at Marlype?—Yes.

559. And between that and the Western-road is there considerable property left without sewerage?—Yes.

560. For how long has that been so?—Since the Western-road was made, about forty years ago.

561. They have left a very large district, within that district, without sewers, for the last forty years?—Yes; I believe the object of the Corporation is to get me to pay sewerage money that may be expended in the city, and that could be of no advantage to me; for my property is lower than the fall in the river, and they practically could not give me sewerage; so is the whole district, and sewers could not be made unless they got water to run up a hill.

562. Before they come to your district at all, they have a large district to supply with sewers?—Yes; an immense district.

563. Did you purchase the property from the Duke of Devonshire about four years ago?—Yes; part of it four years ago. I object to be taxed; and one of the reasons is, that I bought this on the faith of the boundaries as fixed three years ago; and the rest of the property was bought in the same way. We want to prevent the matter going before the House of Commons to seek compensation.

564. Would bringing this property within the city taxation have the effect of increasing or diminishing its value?—Decreasing considerably.

565. Will it have the effect of discouraging building?—I have no doubt it will.

566. Are there equally eligible sites left outside by this scheme?—There are other eligible sites left outside.

567. Bringing this western part under city taxation would have the effect of diverting the building to the part left outside?—I am confident it will.

568. Within this new area you have also a factory?—Yes; I have chemical works.

569. Do you derive any special advantage for that by reason of its contiguity to the city?—I don't use any water whatever. I don't use any sewerage whatever, and the gas I have out there, I had to pay for laying the pipes myself—they are my own property.

570. You don't believe you have any advantage from the city?—I don't go so far as that; but I would be quite as well off a mile off, for all factory purposes.

571. Would bringing that factory within the city affect your rent?—Yes; it would give me an immense increase in taxation, and I can't see I would be benefited, as far as the factory goes, in the slightest iota.

572. And as regards this question of increasing the taxation on land from one-third to one-half, what is your opinion?—I think it is an unfortunate and imprudent time for it, when the farmers are after a very bad harvest; and I think any increase of taxes will be a very serious thing to them. As to the idea of lighting being of such advantage to the farmers out there, the gas lamps of Cork, as far as I know, are generally put out at four o'clock in the mornings—the very time the farmers would want them when coming into market; and, practically speaking, they, on that account, don't get the slightest advantage from lighting. That is a very important view of the light—that it is just extinguished when it is wanted.

573. It is said that it is close to the city valued at a much higher figure for mining purposes than land of a corresponding productiveness out in the country on account of its contiguity?—Yes; if the proposal was to extend or increase the city on the Western-road alone, I should not think it worth while to object if I thought there was a chance of a sewer being made there; but what I object to is to have the land between the dyke and the river brought in, and the other land, about 150 acres altogether, which it would not be possible for the Corporation to benefit by sewerage to any single degree. Even if there was any number of houses to be put on the College-road, I cannot see that the sewerage could run in any direction except into my own ground, and into the river, owing to the geographical position of the land.

574. You have heard the project the Town Clerk was speaking of, involving an expenditure of £185,000?—Yes.

575. Do you think the land on the western side would derive any advantage from that?—Agriculture dwellings, for instance?—I don't think it will advantage us in any way.

576. Or from the erection of a town hall?—No.

577. Or from the erection of a bridge at the southern side?—No; nor a bridge at the southern side of the city.

578. You are a ratepayer in the city as well?—I am.

579. What complaints are there in the city as to the amount of taxation?—There are constantly complaints, and great complaints of the administration—nothing could be stronger.

580. Do you think there are any grounds for saying that the roads will be better or more economically kept under the Corporation than under the Grand Jury?—I think the roads in the county must be kept for about half what they are kept for in the city. I have no figures to give. I can give them when I have Mr. Walker's figures of what the roads cost in the county. I have sent for the figures from the county contractors.

581. Take the Western-road, is the part under the city kept better than the part in the county?—As far as I can judge, I think they are about the same. If any thing, I prefer the county part.

Comm.  
Jan 8, 1879.  
Mr. F. A.  
Jencks.

582. Mr. Walker said it was your quarters that cut up the roads. Was it your traffic or the badness of the roads that caused them to be cut up?—The Corporation officers blame me if I put traffic on the road; they think a kind of stone at me, I suppose half in fun, and Mr. Walker was at it yesterday, you see the tone of his evidence.

583. I believe in this area they propose to take in the principal features are that it contains three public houses and three bridges?—Yes.

584. CHAIRMAN.—Do you mean No. 1 extension? We mean it will be no advantage on any side; you will get no advantage, Mr. Jencks?—We will be injured.

585. Are these bridges likely to involve a large outlay to the city?—I think that is a most important question. If this increase to the city proposed by the Corporation is taken, it will probably involve the rebuilding of Wellington bridge, one part of that bridge has fallen considerably, and though it may last for many years, I think it will yet be a very serious matter for the city of Cork, and extremely dangerous to add the case of the Wellington, Gool, and George the Fourth bridges to the city. It would take from £12,000 to £20,000 to rebuild the Wellington bridge, and I believe the county would be very glad to get rid of some of those places. The amount of money spent on the roads around Cork will be something enormous, and if all the city roads about the city and the main streets of your traffic are taken in, the traffic will be proportionately heavy, and the expenses will be high.

586. CHAIRMAN.—The traffic from the Western-road does not come over the bridge. What comes over the bridge is brought from Leesmount and that district?—When I speak with respect to the roads, I speak as a citizen of Cork, not especially for the west.

587. If you had no property outside, what would you say to taking these districts in?—I would agree with these gentlemen who have no property at all. With respect to the Town Council and the Grand Jury, in former times on the Grand Jury there was any amount of jockeying until they introduced a new system; they have introduced a second check which is bringing everything before the magistrates. When the Corporation come in, if they had some modification as to the county roads, and took the opinion of the magistrates, it would be very important. I don't believe the Corporation here are worse than any other Corporation, nor the Grand Jury either, but I believe if the Grand Jury system was carried out it would impoverish the county generally.

588. How?—I think from the way the Corporation manage these things by committees, and looking to the amount of work this increased area would throw upon them, they will not be able to manage it at all.

589. Mr. O'Brian.—How often do the Grand Jury meet?—Twice.

590. How often do the Corporation meet?—I think it would be very instructive to see how often there is a decision from want of attendance, and also from bad attendance at committees.

591. Are you speaking from your own knowledge, or from hearsay?—I have had a great deal of business with the Corporation, and I have gone to know what is or has been, and what I was told was the committee did not meet.

592. CHAIRMAN.—Do you think there ought to be any extension on the western side?—I should not at all object to an extension up to the end of the Western-road.

593. Do you think that Sharnakel House ought to be brought in, and the lunatic asylum brought in?—I would like to look over these matters before saying.

594. Take the lunatic asylum district, do you think that new road should be included for building purposes?—I agree that the present boundary is very straggling, but the Corporation plan would make it more straggling than before.

595. And do you think the present area should be increased?—I would rather leave it as it is.

596. You are not for any increase at all?—I am perfectly neutral.

597. As a citizen in Cork, do you think the present area ought to be increased at all?—I think it was a very bad area at first.

598. Is it your opinion that the area being bad at first should be perpetuated for ever?—I think it should be curtailed in every direction. I believe lighting and sewerage on the Glanville road is not carried out by the Corporation at all.

599. Your opinion is that the present area, so far from being increased, ought to be lessened?—First of all, I don't think you have taken me up rightly. I am not prepared here without going very carefully over the district to give any opinion whether you should increase or lessen the area.

600. No man would say that you should have a boundary taking in one place and leaving out another?—I never said that; these are your words, not mine.

601. Is it your opinion that these boundaries should be left as they are, or increased, or lessened?—I have had nothing to do with the original arrangements, it being then I am not prepared to alter it without giving any reasons and grounds before doing so, and I would go very carefully into the matter in the various places. I have no idea as to how Sharnakel House is left out, the boundary goes round it, and I am aware it is out of the proposed increase. The changing of the boundary is a very important matter, and I am not prepared to give an opinion on it without giving one in its entirety, and I am not prepared to do that without going very carefully into it.

602. I only show you the proposed increase on this western side, and I ask you should any portion of that proposed increase which represents 52½, 3s. 3d., be brought into the city?—I believe the bringing-in of that district was a thoroughly partial thing, to bring in all my buildings which are the principal value to them. I am the landlord of four very large houses in that.

603. I take your own chemical works. Do you think they derive advantage from their proximity to the city?—I don't think they would derive advantage from being introduced into the city.

604. No, I don't say they will get any extra advantage which they have not now, but don't you for the purposes of these works, use all these roads?—Yes, as a citizen like everybody else.

605. You ship largely and import largely?—I principally export.

606. You must import also; you must get in some chemicals for your manufactory besides?—Yes, of course. I make use of the quays.

607. And you use the roads in the city largely for that purpose?—Yes.

608. Don't you think you should pay something towards the roads in the city?—I pay tolls at present.

609. But these tolls don't go to the roads. I think the tolls would be knocked off by the new arrangement. Suppose these chemical works instead of being there were ten miles away in the country, would they be more valuable?—In one respect it would be better for me to be down near the bank of the river.

610. Certainly, because that would be better for your shipping. Don't you get the benefit of coal being transferred to your works from the city?—Yes, and the Corporation get a large tax on that coal.

611. But they get that from the citizens as well as you?—They do.

612. Do you think it is fair for your horses and carts to be carrying coals to your works, and setting up the roads in the city for your purposes, and yet not pay anything towards maintaining the roads in the city?—My reply is that that factory was built and established there on the ground of its being in the county and entirely outside city taxation. There is a very large amount of money placed in it. I am quite satisfied with the accommodation I have got, and I will not be benefited in any way by increasing the city, but it will be putting £100 or £150 additional expense on me.

From  
Jan. 4, 1897.  
Mr. F. A  
Jennings.

613. Take Kingstown and all these places which were built before the Towns Improvement Act, when people did not contemplate taxation. They are all taxed now and they might as well say don't legislate for us at all, for when our houses were built there was no tax!—I find it enough to know about Cork without going to the County Dublin; that is going out of the venue altogether.

614. Well there is Dyke House which is your property deriving special advantage from its proximity to the city and having all the roads of the city to use?—I don't like to answer for Mr. Stoker who has that house.

615. But you are the head landlord?—There is a long lease against me. I think also as compared with a lease against me, is the person to answer that. If the 3d landlord tax was to come out of Dyke House I would be liable, and that would be a very unfair thing. I believe every gentleman in the county will have to pay that 3d. landlord tax if they don't look sharply.

616. Mr. O'BRIEN.—Mr. Lawrence asked you a few questions about rather large items of outlay contemplated by the Corporation as sanitary works. If these works be executed, and well executed, won't the practical effect be greatly to improve the sanitary condition of Cork?—No doubt it will.

617. If the sanitary condition of Cork be substantially improved by the execution of these works and if it be thus rendered more free from the visitation of epidemic disease than at present, won't that benefit be one that must diffuse itself to the inhabitants about the city who are in the habit of resorting daily to it?—I am not prepared to deny that.

618. So that these items of expenditure will confer advantage not only on the citizens but on the persons living within a certain radius?—No one can doubt that.

619. Would it be reasonable that in a moderate scale they should contribute to the outlay?—I live to the west and the trees round my house and everywhere are perfectly free from root, while the trees up at St. Luke's are all covered with a mass of smoke from the city, and therefore in these districts I admit that what you say is very important.

620. CHAIRMAN.—The smoke won't affect the sewerage?—Smoke and dirt do not affect the locality, whereas I am in a district without smoke, and we can't be improved by any sewerage scheme brought forward. I have an unlimited supply of water and we don't want anything.

621. Were you here yesterday, when a gentleman who was here stated that cottages were being built up there which let for more inside the boundary than a better class of house outside it?—I was, and I beg to say that I was offered that piece of ground and I refused to take it or have any dealings with it, because it was in the city.

622. Yes, but did you hear what he said?—I don't think the owner was here. It was somebody answered for him, and my own opinion is that the owner would be of a very different view.

623. Do you know that Glinsheen spinning mill?—It was a spinning mill, I am the owner of it, but it is a store now.

624. Do you know Wellington-square, at the north side of the Lee; are not there a lot of houses there?—Yes; there is a gentleman here who lives there.

625. Is it your view that this should be included?—I tell you, give me time, and I will give you a comprehensive map drawn out, showing what districts ought to be brought in.

626. Did you hear our suggestion yesterday. I think what you objected to was one very large district being brought in and another left out. What do you say to taking in a larger area of two miles?—I heard all that, and it appeared to me that you, yesterday, practically said that the Corporation view of taking in these places only was an absurd one.

627. CHAIRMAN.—No, I did not. What we asked

was this: having regard to the fact that in other places much smaller they all sought extension of two miles around the town, stating that the land within that distance was of exceptional value owing to its proximity to the town, I asked whether a similar rule should not be applied here.

628. Mr. Lawrence.—But it should also be asked whether in these towns there was a large debt, and whether the rates of Cork were not three times as much as in these towns.

629. CHAIRMAN.—They could not have as large a debt as Cork, for under the Towns Improvement Act that is not possible.

630. Witness.—What are the debts of the towns that want a two-mile increase? I think the Corporation is perfectly partial. I am perfectly willing that there should be a fair arrangement for outside places to be taxed. I speak that as a citizen; but as I am here in two capacities, I think it is a hard thing that where I don't want a bit of sewerage, and where the Corporation, if they had power, could not benefit me, that I should be brought in to pay for the sewerage in the old part of the city, and I think a fair principle might be established by having a rate for whatever we got.

631. Mr. O'BRIEN.—I understand you then to be in favour of a differential scale of rating?—I was contrasting the Corporation plan.

632. But you are in favour of a differential scale?—I think such a thing might be done fairly. I think your plan is a comprehensive plan and a statesmanlike view of the whole thing, which, if fairly carried out, very few people would object to, with a differential rate; but I think it is a most serious thing that people that don't enjoy sewerage at present, which have been paying for it for the last ten or twenty years and have not got sewerage, still should be asked to go on paying for it, and that others should be asked to come in and do the same. I have been paying for gas practically, and I have asked for it but I have not got it.

633. CHAIRMAN.—Suppose that Ringmahon Castle and Farinly are taxed and brought within the municipal boundary, would you say that Dyke House ought not to be brought in?—These places have both water and gas.

634. They pay for it themselves at a much higher rate by private contract?—I am aware of that, but Dyke House, if it took water, would have to pay as much.

635. Mr. O'BRIEN.—As regards the differential scale, I don't understand what you mean to contend for. The differential scale recognized by the Acts of 1847 and 1854 has reference solely to the description of property to be rated; as I understand, the differential scale you contend for is one having reference not to the class of property, but to the position of it?—Yes.

636. Do you propose that there should be two scales in existence—you don't propose that similar houses should be rated equally with houses?—No.

637. You propose that there should be two differential scales—one applicable to the class of property and the other to the position of it?—Yes; I don't see how some of these houses could be benefited by any sewerage made by the city; they have sewerage of their own, and don't want any more.

638. CHAIRMAN.—According to what you say, I understand you to propose that there should be a sort of sewerage rate, at so much a foot at one place and at so much a foot at another, and so on, until the man who had it at his door, and who happened to live at a certain distance, would have to pay nothing?—That is not my plan. To every house on the Watercourse I would charge sewerage rate, but I would not charge them for sewerage until they got it, or gas or water, and if the advantages are as great as we are told, these people will come in and ask for them.

639. The Corporation proposal is to give the same advantages all over the proposed district?—They can't do it; it is an impracticable and partial plan. They



and benefit me. It has lately cost me £130 for filling up land and making it available, and taking it out of flood water. I have done that because it was in the county; and I would not have done it if it was in the city. If afterwards the Corporation say "We will make five sewers in front of these houses," I will be quite ready to meet them.

600. What do you do with your sewerage; you have no power to divert it into the river?—Well, that comes to a very important question—the filth of the south channel.

601. You said you did not want sewerage. You are filling ground for building, and you say, as I want sewers, I will make them. Where do you take them to?—The world has had cesspools for ages; but if the Corporation make sewers in front of my house, I should be compelled to pay for them, although I do not want them or use them. My house and factory I irrigate, and I send nothing into the river.

602. Mr. O'BRIEN.—How do you propose to graduate this differential scale as regards position? Do you contemplate two distinct descriptions of differential rating, I already asked you, and you said you did; and then I asked you whether you also contemplated a further differential scale applicable to the places to be assessed. In dealing with that second branch, suppose you had practically to legislate on the subject now, by what principle would you be guided as regards position?—That is a very abstruse, any view to put it entirely; I would like you to tell me the rate and part of the country, and I would give you an answer to the question.

603. But what is the general principle you would adopt?—If you give me the road I could tell.

604. CHAIRMAN.—Well, take the last quarter mile at Blackrock. How would you tax that with reference, say, to the Grand Parade—would you tax them the same or differentially?—I would first of all send down my engineers to know whether I could give these people sewers at all; if I could, and if they wanted it, I would give it.

605. Suppose they didn't want it at all?—I would not tax them for sewers at all, but I would tax them for water and general conveniences, and all that sort of thing.

606. You say you would tax them for water and light. Would you make them pay the same tax for water and light, that you would the man who is immediately within a quarter of a mile of the gasworks and waterworks?—That is a difficult question to answer.

607. If you take the length of piping necessary to carry the water down a great distance you will find how much more it costs the further the man lives away, yet you are making the man close to the waterworks pay the same, although the piping costs a mere nothing compared with the other case; and, therefore, I ask you what is your differential rate?—I don't propose a differential rate, but merely propose to make the Corporation divide their rates into water-rate, and sewer-rate, and gas-rate, and if they give them water, charge them water-rate, and if they give them lighting and sewerage, charge them for both also.

608. Mr. O'BRIEN.—And then these people are to pay nothing for the advantages they derive from their proximity to the town?—They never paid that. The cost of the pipes is comparatively small. The expenses of the works and of the pumping would practically bring the expenses on the pipes to the same thing.

609. Mr. LAWRENCE.—After all these items of lighting, sewerage, and water are only three special benefits, and there are other general purposes such as roads which would apply to all.

610. Mr. O'BRIEN.—But Mr. Jennings's plan is to exempt them from these things they don't get, and to make them liable to nothing on account of their proximity to the town?—I consider they pay for that otherwise.

611. CHAIRMAN.—Anyone going up the Western-road gets the advantage of light up to the borough boundary at present, and there the light stops, and the people living beyond the boundary have to go on in darkness. Would it not be an advantage to the owners of the property out there to have the benefit of light extended to them?—Certainly.

612. And should they pay for it?—Yes, if it is done at once.

613. And don't they get the advantage of having it half way out?—Yes, and I am quite willing there should be a certain thing charged for any advantage they get. I would submit a lighting charge—a fair rate for whatever they get.

614. Then you pay your proportion of the county-road rate up to a certain point, and that is all, and from that to the town you use the city roads down to the quay where you ship your goods and get your coals, and you pay nothing for that. Don't you think you should pay something?—I hold twenty-five acres of building ground in Cork, and I have a right as a citizen to the use of the roads. I cannot keep myself entirely separate as a citizen and as a county man.

615. But suppose you had no property inside but only outside the borough, you pay at present the county-road rate as far as you use the county-road, and the same horses and carts go a mile or two through the city every day backwards and forwards shipping your produce. Now, is it fair that you should not pay our nothing for all these roads, and that the citizens should be maintaining them for you every day while you derive the benefit?—You are speaking as if I was in the county and had nothing at all in the city. Then I think I ought to pay tax for everything I get, but I would make three distinctions—lighting, sewerage, and water.

616. But I am speaking of the roads, and you have the advantage of the light as far as it goes?—Then I ought to pay tax as far as it goes.

617. But you say as a citizen you should not pay for what is outside?—No, but you mix up the thing. Formerly the Town Council were chosen out of the city, whose property was practically in it, but now you have men whose property is at Queenstown and in Egyptian Roads, and everywhere. An entirely different class of men from what you used to have, and their interests lie entirely outside the boundary.

Mr. JOHN NICHOLAS DARGAN examined.

Mr. J. B. Dargan.

618. CHAIRMAN.—You live just at the north side of the Lee close to Shamakiel?—Yes.

619. And the Corporation propose to bring you in?—Yes.

620. And propose that you should pay the same rate and obtain the same advantages as the citizens?—Yes.

621. What do you say to that?—I say that when I bought that property, fourteen years ago, it was as valuable as now. It has not increased in value from that day to this, even with the advantages you speak of. I read the proceedings of the Council the other day and the purport of that meeting was that all they

wanted was taxation, and that we required an equivalent. I don't think the Legislature or any public bodies would take from us anything I have without giving an equivalent. We don't want some of the equivalents which you are forcing on us, and, therefore, unless you give me something for what you take, you are not to put your hand into my pocket. The city is drifting into debt, and it was in debt before we came to it. If we are to begin with the city as it is proposed, let what is due be paid by the city, and let us meet on equal terms.

622. You say let the citizens pay for whatever is done, giving you the benefit of all that for nothing?—

Cons.

Jan. 8, 1929

Mr. J. N.  
Duggan.

I give them the benefit of my labour and services, and the produce of my farm enhances the city.

663. Your proposal is that you should not pay tax for one farthing of the present city debt, and that you should stand on a totally different footing?—Yes, if it is a partnership let us come in with clean hands.

664. But don't you see that what the Council say is this: This debt was incurred for your benefit as well as ours?—No; I say no part of it was incurred for our benefit.

665. Don't you get benefit from it?—No.

666. At present you are not paying for any of the roads running through the city?—No; I am paying for the roads in the county.

667. But you use the roads in the city daily?—But if the city was confined to the area proposed it would be very small, and you might as well apply that to Bandon and the other places. The Corporation takes out a little bit and say, that doesn't pay, and this doesn't pay, and so on.

668. You are in favour of a radius extending a certain distance?—I am in favour of what is just and fair.

669. But what will that be?—If I am to be brought into the city I must respectfully require that I should not be put under a disadvantage, and that if I am called into partnership I should get advantages in proportion to what you take from me. I have coverage complete at my own expense, and that is created by the Sanitary Board.

670. And where does it go?—Into the river.

671. The Corporation won't be allowed to do that?—They have no other way except through the river.

672. They may bring it down and discharge it in the lough?—No; there is a rise of ground, and there is nothing but to bring it through the river.

673. Well, they have a very competent engineer considering the question for them, and they will have some one falling out with them if they put the sewage into the river?—All I require is that if I am brought into partnership I shall get an equivalent value for what I give.

Mr. W. L.  
Fisher.

Mr. WILLIAM LUNNET PERRIER examined.

684. CHAIRMAN.—Do the people at Blackrock, between the dotted line No 3 on map A and the river, object altogether to be brought within the city?—Yes.

685. Don't you think the people down there derive advantages from the city?—I am only telling you what the opinion of the people there is. I don't live there at all myself. If I was living on the road myself I would be very glad of the advantages.

686. What is the objection they make?—They are quite satisfied with things as they are.

687. But the boundary must be fixed on some definite and intelligible principle. On what ground do they object?—At present they are only paying county rate, and they don't want to pay any more.

688. At present they are paying county rate, and that is about 2s., and I understand they are paying 2s. for water and an extra 6d. for gas. At all events they are paying about 2s. 6d.—Well, I don't think it would make much difference at all. The only object in coming forward now is that it should not be said afterwards no one objected.

689. Mr. O'BRIEN.—Is it not a fact that want of light is a most serious injury to the entire community?—Yes; I think it is a great pity it is not provided.

690. CHAIRMAN.—The Corporation scheme at pre-

674. Do you mean that you should get the same advantages as the residents on the Parade?—Yes.

675. That is what the Corporation propose to give you?—But there are some things I don't require.

676. But they propose to give you such as you do require?—I give no advantage from being near the city, for my houses have not increased in value for the last twenty years.

677. Suppose you had that terrace of houses eight or ten miles away in the country, would you get the same rent for them?—I think I would.

678. Are you in favour of extending the radius all round the city?—I am not in favour of it on the western side. I know all the outlay in Cork is for improvement of the low-lying part of the city, and I say if the Corporation want to extend their radius they can extend it towards the place where the traffic is extending towards.

679. But if you want to go to the railway, haven't you to drive through the city?—It will take me three-quarters of an hour.

680. But you get the benefit, and you don't pay for it?—I have a long distance to come. The Marown man is as near as I am. We pay for the county and you pay for the city, and I think there is a natural partnership there. You use the county when you require it.

681. Mr. Murphy.—You were speaking of some cottages belonging to Mr. Prendergast—are these inside or outside the city?—They are outside; and there is another terrace within it, and they have the same convenience of light and water as Wellington-terrace has, and still they bring 46 a year more than mine do, mine being 42 and the others being 48.

682. Because they are outside?—No, but because they are nearer to the centre of the city. There is no person in that district would petition against that being included in the city.

683. Mr. Jennings.—I am willing to pay, and to pay, for every single advantage I get. If I get light I am prepared to pay for it, and so on.

sent is to give them down to the very extremity the same advantage of light, water, sewerage, and everything?—I hope there will be provision made to oblige them to do so.

691. That is their proposal, and I presume if the Legislature agreed to sanction the extension it will be on their own terms, and if they don't do it they will be made to do it. Do you object to further extension than the Corporation suggest?—Yes.

692. Why?—Because south of the line there is a farm belonging to Mr. Crawford of 200 acres. Mr. PHE has 200 acres, and Mr. O'Connell fifty or sixty acres, so that I think the whole of it down to the Channel is occupied by four or five people.

693. Don't you think these lands are increased in value by their proximity to Cork?—Of course they are, but that would apply to any part of the country.

694. The lands being only liable to pay on a differential scale, don't you think it is only fair they should make some contribution, if not an equal one?—I think they ought.

695. You think if a differential scale was adopted it should be made applicable to the position as well as to the class of property?—Clearly.

Mr. Philip W.  
Rane.

Mr. PHILIP W. RANE, Solicitor, examined.

696. Mr. O'BRIEN.—The advantages derived by land would not be equal to the advantages derived by persons living where houses and terraces are built?—Further out the larger and more extensive farms would practically derive no advantage.

697. Do I understand you as concurring in the view of Mr. Jennings, that there should be two distinct

classes of differential ratings—one having reference to the class of property, and that there should be, in addition to that, a further differential scale regulated by the position of the property and the advantage it derives?—Certainly; and going on that, that if land is included within a certain area, and has only to pay a certain proportion, it should not have the benefit—

not regarding them—and, therefore, not put to the expense of getting advantages it doesn't require.

698. Suppose the principle was admitted to be just, by what general principle would you govern it—it should be specified in some distinct form? What is the principle you would adopt?—I look upon it that any plot of building ground, or ground available for building purposes, should be rated upon a different scale; the advantages resulting to persons residing in houses taking the benefits that would arise from being brought within the limits of the city are considerably more than by any possibility could ensue to that portion of the land, which is merely agricultural land—considerably more than could by any means,

under any state of circumstances, at any time be conferred on such lands.

699. CHAIRMAN.—Do you not think that would be better ascertained on the valuation, trusting that the valuation Commissioners would value each particular farm, having regard not only to the quality of the ground but the locality, and that they would put much less value on the land of Mr. Pitts and Mr. Crawford than they would put on the market gardens?—I agree that if that principle could be carried out it would do; but that is impossible. What power would the valuator have, unless you classify by legislation a certain proportion of value, first taking what the general value might be?

Cont.  
Act. 2, 1875.  
Mr. Philip W.  
Bass.

#### Mr. GEORGE WOOD EXAMINED.

Mr. George  
Wood.

700. I have seen in the Cork papers questions asked by the Commissioners with regard to taking in the Glanville and Rathcoole districts, at present outside the boundary, and from that down to the Glanville river. On my own behalf, and I am sure on behalf of other residents, I object to that, and I will state the grounds. I consider that any person living in the city, or whose they can derive the particular advantages of the city arrangements, such as gas and sewerage and water, are entitled of course to pay for them, and even if they are not in the city, but a certain distance from it, they are entitled to pay for them; but when you go beyond that it is another question. We don't require gas or drainage, and we don't require water, and why should we be charged anything extra when we won't derive any advantages peculiar to these things that grow out of the Corporation? It may be said, we use the roads. Well, this road we have been in the habit of maintaining for years up to the borough boundary; and as to the city road, the city must keep up a certain approach to their streets. We make use of it; but if we do that, it is to bring in our produce, and to come in to spend our money in the city, and thus we give them an equivalent for the use of the present borough roads. We object strongly; and I am sure if the residents and farmers had an opportunity of meeting and discussing the question they would be unanimous in giving the proposal the greatest possible opposition they could. We don't want any change, and we don't derive any benefit. If this is done, and apparently this is the object of it, to make a fair equitable arrangement between the city and the parties in the neighbourhood who derive benefit from their proximity to it, and as the basis is on equitable ground, I would ask why this property, eight miles from the city of Cork, which derives the same benefit from the city as the property three or four miles away, should not be included too?

701. CHAIRMAN.—But you must draw the line somewhere?—If we were asking for a change; but where it is put upon us merely for the sake of equitable arrangement, my reply is, why should we be made pay for it when we don't derive any benefit from it more than the people eight miles off?

702. Mr. O'BRIEN.—Do you think the people eight miles off derive as much advantage?—I think they derive as much advantage. They send in their produce, and they can come in and spend their money in the shops in Cork.

703. Surely land eight miles away doesn't bring the same price?—Well, perhaps eight miles is too much. At six miles, I should say, it is just as valuable as at four. We are not market gardeners in our neighbourhood; we are agriculturists.

704. CHAIRMAN.—Take the top of Lottbeg, you have a farm there, say, of ten acres, and if you got your choice of a farm of ten acres six miles further on, would not the land at Lottbeg bring more to the landlord than the other?—Well, it would depend on circumstances.

705. Well, but suppose it had the same amount of water, the same facilities for getting at the high roads, and was of the same quality of land?—I don't think they derive any peculiar advantage.

706. Mr. Bass.—Land within three or four miles, and land six miles away from Cork, in the same direction—take Carrigaline, for instance—bring the same value, if not a trifle more, than land within half the distance.

707. Mr. O'BRIEN.—How do you account for that?—It is a fact, and I merely state it.

708. CHAIRMAN.—Take a farm of ten acres just outside the borough boundary, and another farm precisely the same, four miles further off, with the same facilities as land at Lottbeg, are you able to say whether the first is not more valuable than the land four miles off?

Witness (Mr. Wood).—It all depends on what you want the land for.

709. But I mean as merely agricultural land?—I don't think there would be any difference in the valuation.

710. Is it your opinion that there is a difference in the value of land in the immediate locality, as compared with other places?—I don't think you will get more rent for the ground in one place than the other.

711. For any gentleman resident just outside the borough, you think it an advantage to have the roads lighted and repaired down to the point where the borough ends?—Yes; and we have that already.

712. And suppose that was not done, you would have to pay your share of keeping the road up to that?—Yes.

713. Do you think, to the extent of the share you would have to pay, you should contribute to the borough?—But we use it coming into town to spend our own money. They have peculiar advantages in the borough which we don't enjoy at all. We don't want light, drainage, or water.

714. But your place would not be as valuable as it is if you had not light from the time you left your door until the time you got into the heart of the city?—I don't think the lighting of that road would increase the value to any appreciable degree.

715. Do not you think the value is increased by this proximity to the market town?—I do; but I don't think there is much difference in going five miles and going two. It is very hard that we, occupying lands here, should pay exceptional charges, while the people living equally near should be exempt. On what principle should Mr. Baker, of Fortwilliam, and Mr. Penrose, who is only at the other side of Silverstring-hane, not pay. If you are going to make a change on simply equitable grounds, why should not those who derive the same advantage beyond, be called upon to pay, as well as those within a certain district.

716. The reason is that the gentlemen's seats are not along there?—The people at Blackrock have smaller houses, and we don't derive any advantage. We have water and light and sewerage already.

717. But you are not to be taxed to the same amount?—We don't derive any benefit. The increased taxation is positive, but the advantages are shadowy. We would certainly be put under an increased amount of taxation, and as to any future legislation or attention in the way of valuing property, that is very problematical; and we can't answer for that, or say it will ever take place.

718. You would rather let things be as they are?—Yes.

Cont.

Jan. 2, 1876.

Mr. Joseph  
Pitt.

719. CHAIRMAN.—Your father is the owner of Bessborough?—Yes.

720. He has a large quantity of land in Bollinure?—Yes; about 160 acres.

721. You heard the proposal of the Corporation to extend the boundary line around by Kingshead and Douglas at a differential rate—what is your view of the subject?—That we would rather be left as we are; that we should not derive a single advantage, and we would be taxed 1s. in the pound or more for it.

722. Do you not think it an advantage to have the whole of the Blackrock district lighted?—I don't say that it would be much advantage to us.

723. It was represented to us yesterday that the Victoria road, which is the road by which you come into town, was particularly dangerous at night from thieves and robbers?—I never walked it.

724. Would it be a great advantage to light the road down to that point?—It may, to some people; but I don't think it would be to us.

725. Wouldn't it be an advantage to the inhabitants of the district generally?—I don't think it would.

726. Is it your opinion that your father's place, as a residence, and the land attached to it, does not derive benefit from its proximity to Blackrock, which is proposed to be taken in?—No; I don't think any benefit is derived.

727. As a gentleman's residence, suppose it was ten miles from Cork, it would not be of as much value?—Well, we are a great many miles from a railway station, and a great many people who are a quarter of a mile from a country railway station are nearer Cork than we are.

728. And having these houses without the borough at present you say it is not right that you should have any tax put upon them?—No; I don't think we derive any advantage from being lighted at all. I think a great many of the lands would be as well without lamps.

729. Is it your opinion that if your father was to let the land to tenants, he would get more for it, than if it was five or six miles from Cork?—I don't know that. He has no intention of letting it, and there is very little produce sent into Cork from it.

730. If he was to let it as in Douglas for market

gardens couldn't he get more for it?—I don't think he could do it. He has tried to let gardens here at Bollinure for some time, and he has failed to do it. He has tried for two or three years.

731. This is to be taken not only as regards Cork, but, as a general view expressed, that gentlemen residing within a mile and a half of a town derive exceptional benefit?—I can't say what a mile and a half would do, but we are three miles, but I think the fact of residing within a short distance of a small town is very different from the case near large towns. I would just as soon live five miles as three and a half away from town.

732. Don't you think the gentleman who has business premises in the city and who goes into it every day over the city roads should pay something?—I think the business premises pay for it, and so Mr. Crawford says he pays a very large amount of rates through his place in the city.

733. If he had a residence in the city he should pay for it too, and because he happens to be a mile and a half out of town don't you think he should pay something for going over these roads?—No; because he pays city rates already and it is business taken him in and not pleasure.

734. You do not think, then, that any farming lands derive exceptional value and advantages from lighting?—No; I don't think so.

735. Take Ballard brickyards, close to Clover Hill, don't you think the man who is the owner of these should pay something to the city where he uses the roads of the city so much?—I don't mind how much you make them pay, they are a great nuisance.

736. Take such a place as Beaumont; what is your view regarding it? It is just left outside?—That is Mr. Shaw's, and he can answer for himself. We are a long way from a railway station.

737. As knowing the district, can you state what the view held as to the extension proposed by the Corporation on the south side? Do you think it fair that the line between this line and the south of the river should be taken in?—I would rather not agree that, for I have nothing to say to it. I have come to object to one proposal; I have no interest in the other.

Mr. W. C.  
Cassell.

738. CHAIRMAN.—You are the owner of Clover Hill, I believe?—Yes.

739. Do you own the brick works there?—Some of them.

740. You say you do not want that place taken in?—No; we object entirely to have anything included in the municipal area beyond that dotted line on No. 3.

741. What is your view of the Corporation proposal?—My view with regard to No. 3 is that taking it there must be an extension of the boundary; it is the best you can choose, because it embraces all the houses and thickly populated places whose roads will be lighted and where water is given, and if you extend the city at all, which it appears you must do, that is the best extension to be made.

742. That being so you object to anything south of that dotted line?—Most decidedly.

743. Even at a differential rate?—Yes, even at a differential rate. Taking it for granted there is to be an extension, I approve of that proposed extension.

744. You have heard our views as regards taking a radius around the city at a differential rate; why do you object to our taking that view of the question?—Because I contend that the whole of the ground to the south of the dotted line is purely agricultural land, and cannot derive any benefit by being annexed to the city. I heard it stated here yesterday by one or two gentlemen that if it was brought in it would become building ground, but the fact of that being brought in would prevent that through the increased taxation. I know the locality all my life, and I know of no houses but one being built in the neighbourhood.

Mr. JOSEPH PITT examined.

Mr. Wm. CHARLES CONNELL examined.

745. That's in the Douglas district, where the market gardens are?—That is not the Douglas district; that would be across the bridge—rather the Bollinure district.

746. Do not the gentlemen outside get the benefit of the sanitary arrangement of these roads, such as they are?—They do.

747. And the benefit of the light, and so on?—They do.

748. Do you think they should contribute something to them?—I think it is a fair thing they should contribute, a very small proportion.

749. At present the land inside pays one-third—is it your opinion that land outside should pay one-third, or more than one-third?—I would say less than a third.

750. Although it is exactly alongside it?—I don't think outsiders derive that great advantage from their proximity to the city that you think at all. There was a time when that would apply more forcibly—when we were a corn growing country, but now the man who lives ten or fifteen miles away has the same facilities as we have.

751. But are there not market-gardens along there?—Yes.

752. And they are of very high value?—Yes.

753. That is on account of their proximity to the city?—For that particular spot that's so.

754. Are not the tenants able to pay that high rent on account of the opportunities they have of reaching the city?—Yes; they certainly do pay a higher rent.

763. You approve of this dotted line boundary?—Yes; because it is as near as they could go to it. We had a line marked out before.

764. There is a large plot down near Ringmahon, to the north of the dotted line; that is agricultural land?—Yes.

765. And you propose to let that in, and make it pay the full?—Because I can't take it out there.

766. Yes, you could, by running the line round the Convent, and excluding it?—That might be done, but this appeared to me to be the best line that could be struck.

767. The Corporation propose to light the whole of that district north of the dotted line. Don't you think that to any gentleman living at Cloverhill it will be an advantage to have the road lighted from the railway terminus down to the road where he turns off for Cloverhill?—There is no denying it would be an advantage, but at the same time I don't think it would be an advantage commensurate with the amount of taxation we would have to pay for it.

768. But at all events you think it will make this ground more valuable?—I certainly would say not. I don't think the lighting of that road down there will have any effect on the land beyond. It is purely agricultural land.

769. Don't you think it will be a benefit to Bessborough?—Yes; because it is on the high road where these lights will be.

770. You think it will be no advantage to Lakeview and Ballylough House?—No; because they are away to the north of it entirely, just as Cloverhill and Bessborough are.

771. Don't you think it would be an advantage to them to have light up to the corner of the road where they turn off?—They never come that road; they always go the Ballinlough road.

772. Don't you think it is to the advantage of the man who has brick-fields to have the public road to come along, with light along from Blackrock?—Not in the slightest; for there never is a load by that road; they always go by the Ballinlough road. They would have to go a mile out of their way to do that.

773. Well, they come into the city at Lion's Den, and from that distance in don't they use the roads of the city very extensively?—They do, certainly.

774. And the man who has three brick-fields will have a great deal of carting?—I am sorry to say it is a very bad trade now.

775. But doesn't he use the roads?—Yes.

776. Why should the citizens keep up the road to the Lion's Den from the town?—Because they get taxation for it.

777. They get nothing from him?—They do; because these men have all business places in Cork; so that if they don't get it directly, they get it indirectly.

778. Mr. Buss.—You were asked whether the parties residing down south of the dotted line, who used the public roads into Cork, did not at all events derive some benefit by the use of them, and whether they should not pay to some extent for it. I want to ask you—supposing these parties did not come into Cork—would Cork be a loser by that?—Of course it would; the people would lose so much of their custom, and it is a fault to suppose that parties using the roads have the advantages exclusively. It is not by any means so, for the citizens derive benefit by the customers coming in to deal with them.

779. Would it not be your opinion that the citizens of Cork would willingly pay for the keeping up of the roads to induce these parties to come into Cork and deal with them?—I think they would, and I think besides it would be to their advantage to do so.

780. And therefore they don't stand on equal ground?—No.

781. CHAIRMAN.—Then, I take it to be your opinion, that in every town, according to your view, the boundary should not be increased, because the citizens ought to

be glad to keep up their city, on the ground that it is for their benefit to do so, because of the custom they get from the people outside?—That is an extreme view of it.

782. Mr. Buss.—I merely wish to remove the force of one point—that parties, although deriving no very fruitful advantage, use the roads coming into the city, and have a right to pay some differential rate, but I think that advantage is two-sided.

Witness.—I think the citizens have as much advantage, for they gain by the country people coming in every day to spend their money among them.

783. CHAIRMAN.—Would not the same thing apply to No. 3 extension, for would not the city keep up the road there for the benefit of the money spent by the Blackrock people coming in?—They would, but all those people object to be taken in. Of course, taking it that an extension must take place, I think that is the best extension you could have.

784. Doesn't it come to this then. You say all these people object, of course, and they object because they are willing to take all they can out of the citizens for lighting and cleansing, and all that, and not pay a single shilling rate towards it?—I don't think it amounts to that.

785. Do you think they would object to be taken in if they got gas and had nothing to pay?—I suppose they would not.

786. And aren't they objecting because they are afraid of the taxation?—Yes; and we know the tendency of the taxation is to rise. We have several projects in the Corporation at present that will carry up the taxation to an enormous extent, and we have a right to take that view of it.

787. Mr. Buss.—Isn't the portion within the line No. 3 a different class of ground, studded with houses, for which, certainly, light and drainage are essential?—Yes; and they are not used in the other place at all.

788. CHAIRMAN.—Therefore it is proposed to make them pay the full rates down there, and in the other case the proposition never was that they should be charged similarly with the others at all.

Witness.—My idea is this, that that differential rating applicable to that is an enormous sum to put on it.

789. At this moment, living at Cloverhill, you pay for all the roads, and the moment you are taken into the city that is taken off you?—We will pay very little, for that extension only includes a very small part of the roads.

790. Suppose it was only a halfpenny in the pound, and suppose the whole of No. 3 district is lighted, it will bring the benefit within half a mile of you; would you object to pay £1 a year for the benefit of light and keeping the roads clean?—I get them cleaned at present.

791. Well, £1 a year, less whatever little reduction there might be in your county rate, for them?—I would not pay £1 a year to have the Blackrock road lighted, because I can use two roads besides. We generally use the middle road, and not the high Blackrock road, and when we do not we go by train.

792. Do you think the letting value of that house and ground of yours would be improved to the extent of £1 a year by having light brought down that distance?—I don't really think they would.

793. Don't you think Mr. Fender's house would be very much increased in value if light was brought down towards it?—No, I don't think it is of the great advantage you think. It is of some advantage; light is always appreciable.

794. Mr. Jennings.—I have six or seven acres at Blackrock (at Bessborough). I would not object to be taken into the city, but I have already promised portion of it, and the conditions were that it was outside the city; otherwise I would have no objection whatever to the extension proposed.

Cons.  
Dec. 4, 1876.  
Mr. W. C.  
Gunnell.

Cont.  
Jan. 8, 1879.  
Mr. William  
Shea.

Mr. WILLIAM SHEA, continued.

787. I live very close to the Lion's Den. I don't know what the line was, and I made up my own mind without knowing it.

788. CHAIRMAN.—Are you outside on the Blackrock side of the Lion's Den?—I am.

789. Are you to the north of the dotted line?—I am to the north of Bellah, on the townland of Knockrogh.

790. Do you know places called West-view and Flora-ville?—Yes; I am between those two roads.

791. They propose to take you in?—Yes.

792. Why should you not be taken in?—My reason for not wishing to be taken in is, I believe, I derive no equivalent for the extra tax which in all probability will be put upon me.

793. Do you know Ashdown Lawn, and these gentleman's houses there—ought they to be taken in?—My mode of explaining it is, if you take Boreenmansa-road, I made up my mind before I came here that if any portion of the Blackrock district is added it should be between the Boreenmansa-road and the Blackrock-road.

794. That is what they propose. They don't even go back so much as you say. You just want to take in only what is north of the Boreenmansa-road, which will just leave you out?—No, certainly not.

795. Are you between Boreenmansa-road and Ballylough?—I happen to be there, but that is not my reason.

796. You just take a line to the north of your own place?—I can give my reasons.

797. Don't you think it would benefit you to have the advantages of light and water?—I don't think they would do my ground any good. As a proof of my statement, I have had the benefit of gas in my own place, and I cut it off for I don't believe they have been dealing fairly with the people.

798. Is your ground building ground, or a market-garden?—It is market-garden ground.

799. Do you think that you, of all others, should pay something towards the city?—Not a penny, and I will tell you the reason—I believe I am already paying too much for the ground.

800. You pay so high because it is a market-garden?—No person holding a market-garden ought to pay more than they do already. Any small advantages they derive, the landlord gets them in the shape of increased rent.

801. You say you are paying too high for that ground already?—Yes; and every other person in my district is paying the same, and any benefits which we derive from our proximity to the city, as compared with people at a longer distance, the landlord gets the benefit of in the shape of the existing rent at the time of taking the land.

802. Then, in your opinion, there is an extra benefit, but it is not the owner gets it, but the landlord?—Yes.

803. The landlord, then, should be made to pay towards the city taxation?—Yes, that is my opinion, if the land is taken in.

804. Do you think the city should get the benefit from some one?—Not from that district.

805. You say the land pays higher than it ought from its proximity to the city?—It does.

806. Then ought not the city to get something from some one?—Not for this land, and I will tell you why: the land lying between Ballinlough and Boreenmansa roads, running a distance of about a mile and a half, is, more or less, vegetable ground—not entirely so, but more or less; it is occupied by a very poor class of people; there is no respectable house on the whole of that except two, and there was not a house raised, except two or three comparatively small ones, for the last fifty years, and I know the district; I was born in it, and I am living in it still, and a very large proportion of those living in that district are actually labouring men, earning a few shillings a day, and to bring such a district under the taxation of the city would be disastrous; it would be tantamount to extorting the people, and as a proof of it, water has been introduced about two years into that district by the Corporation; to show what our confidence in the Corporation of Cork ought to be—

807. That's another question. Is the ground exceptionally valuable owing to its proximity to the city?—It is made something more valuable, but there is greater value than it should bring put upon it.

808. What are the rents you allude to?—23 or 24 an acre.

809. If it was not used as a market-garden, and was three or four miles off, what would it be worth?—As it stands at present, I think it would be quite as valuable if it was three or four miles off.

810. You said a while ago it derived exceptional value from being so close, and therefore that the landlord was able to get more rent out of it; but now you say he would get as much if it was four miles off—I say he would get as much or more, and I will give you the reason why it is made exceptionally valuable by proximity to the city: in many cases the men who hold these lands are working men, who have a few acres at which they work after hours, and they are obliged to have a place within reasonable distance of their employment.

811. How much do you hold yourself?—I don't hold much—about four acres.

812. What do you pay for it?—I pay a rental of £20 a year for the whole lot, but there were some small houses on it when I took it.

813. Do you mean that your holding would be as valuable four miles off?—If it was four miles off I would get better crops out of it, and I simply pay it because it suits my convenience to have it near the city.

814. You think the places on the Boreenmansa and Ballinlough roads should not be included?—Not one; but the Douglas-road—

815. The produce there comes into the market every day?—Yes.

816. And your idea is that you should have some of the streets for nothing, to carry in your produce?—No, I don't say that exactly. With reference to the vegetable market-gardens, to whose land you seem to attach so much value, their vegetables are, in most cases, perhaps ninety-nine out of one hundred, brought into the city in baskets on the backs of the people, and not sold.

The inquiry was adjourned to the 16th.

Jan. 16, 1879.  
Mr. Patrick  
J. Kennedy.

## CORK.—FRIDAY, JANUARY 10th, 1879.

817. The Mayor of Cork.—I have to communicate to you officially, as Mayor of the Corporation, that they fully entertained and discussed yesterday, at a special meeting called for the purpose, questions suggested by you the other day as to whether or not they should extend these boundaries beyond what they proposed themselves at the differential rates proposed.

818. CHAIRMAN.—Or at any differential rate?—Yes, at any differential rate; and they came to the conclusion it would not be advisable to take upon themselves the care of these rural districts and country roads—that it would not be profitable or satisfactory to them to take charge of them, and they have come to the unanimous conclusion not to accept that suggestion of

you, and not to extend the boundary beyond what is proposed on this (the map).

819. Suppose a road rate was imposed on the whole borough, and that the inside and outside paid the same and the latter contributed something in return for the benefits which you all appear to think they do get to some extent from the city, would it modify your view?—I don't think the Corporation would take upon themselves at all the trifling of a road rate, and for another reason they think that the people outside the limits proposed by themselves don't want them, and they don't want to force themselves upon them. Furthermore they think, as was very clearly put by a member of the Corporation yesterday, that it would distract the

attention of the present corporate officers, or rather put them to work over an area much more extensive than they desire to have. They have enough work already on hands of that character, and we would not like to send them into the country two or three miles, looking after repairs, and things of that kind; and there was an expression of opinion yesterday that the sanitary objections would be rather strong, such as I put myself as the first day; that there was too much responsibility as to sanitary affairs, and that they would not have the whole roads, or anything of that kind. The question of the whole roads was proposed by Mr. Nagle, but it was strongly opposed, and was upset in the beginning.

820. Mr. O'BRIEN.—Out of what rate is the expenditure paid on the works already transferred from the Grand Jury to the Corporation?—Out of the improvement rate.

821. You have never made a separate rate for such purposes?—Never.

822. Is there power under the Local Act to make a separate rate for roads?—No. The improvement rate, I think, covers lighting, cleansing and scavenging—everything.

823. And you say that Alderman Nagle's suggestion to have a separate rate did not meet with favour?—No.

824. What is the difficulty that the Council feel in connection with it? Suppose instead of dealing with it as part of the improvement rate, you had a separate road rate, what would be their views?—They did not go into the question, but I will give you what my own views are about it. It was stated by a member of the Council that it would be better to make a general road rate which would operate on the ordinary districts in the same way as on those living on the South Mall, or in the heart of the city, seeing that the roads outside would be very little traversed in comparison with the streets in the heart of the city, and that Patrick-street and those streets would be used so much

more than the roads outside, it would be unfair to put a level rate on the whole district. Then besides our rates are complicated enough already in the way of country-rate, general purposes-rate, borough-rate, and improvement-rate, and it would be inconvenient to have a new rate and a new account for roads or anything else.

825. But isn't that increase of traffic on particular streets and roads caused in a great measure by the use made of them by persons living without the district?—But not to such an extent as would warrant our putting an equal rate on the people outside as on those living inside. The traffic inside consists of a good deal of country traffic, but a great proportion of it is city traffic.

826. Mr. O'BRIEN.—Is it your view that if the roads were to be transferred under an extended area the road rate should be fixed on a differential scale?—I think it would.

827. You don't think it would be equitable to have a uniform rate?—No, nor I don't think it would be desirable, for if you had an equal rate the ordinary people would require such an equivalent that it would be very hard on the city.

828. I suppose under your existing area that difficulty sometimes arises; that from particular roads you are pressed to do things you don't think it necessary to do?—In some particular cases, yes.

829. And you don't have any hesitation in refusing?—We like to avoid it as much as we can.

830. Do you think that in the narrower spaces you would have to work upon, it would be possible to have the roads kept in proper order, and these works carried out at a much cheaper rate than can be done by the county?—Yes, if the thing was forced on us we could do it, but where it is not desired and where no complaint is made by the residents outside, and where we don't see that there are any advantages derivable from it we don't want to force it.

Mr. WALKER, City Surveyor, recalled.

Mr. Walker.

831. CHAIRMAN.—Would you be able to tell us what the roads within the present municipal area cost?—I have not the exact figures. I think the repairs of the roads which include footpaths and flagging, and things of that sort, cost about 1s. 6d. in the pound.

832. Then you see that with the increased traffic in the city it costs only 1s. 6d., while the roads outside cost from 1s. 6d. to 1s. 6d. 1/2?—I think those are the figures, but I will try to get them accurately.

The MAYOR OF CORK, recalled.

Mr. Patrick J. Kennedy.

833. Mr. O'BRIEN.—I asked you a few questions as to the differential scale of rating, and these questions were answered with reference to the area suggested by the Chairman. Having regard to the fact that the Corporation have now decided not to adopt that suggestion but to adhere to the boundary first submitted by themselves, do I understand you to say that notwithstanding that, you are still of the opinion you expressed before, that the class of property now rated at one-third should be increased to one-half?—Yes. They have not altered their opinion about that at all.

834. CHAIRMAN.—On what principle is it then you would say that land immediately outside the boundary should pay on its full poundage for keeping up the county roads, but the moment you step over the boundary that very same land is only to pay one-third. You suggest it should be one-half?—I don't come here to defend the county at all; but where you extend the city advantages it is only fair that the rate should be one-half instead of one-third.

835. And not make those pay the whole?—I don't think it would be fair for the man who has forty acres of land surrounding his house, and whose land is not lighted or sewered, to pay the whole.

836. And why should he not pay the rate for the road?—The road rate is included.

837. I say the man outside now pays the road rate in full; you step over the border, and there is a man inside who has the same share of land and all, and he only pays a third—why should he only pay one-third within the borough, while the man outside pays the full rate?—But you forget he pays the full rate on his house.

838. So does the man outside?—I have nothing to say to him at all.

839. But, as regards the country, I can perfectly understand a man inside paying half for the benefits from the city; but why, as far as keeping up roads is concerned, he should not pay on the full valuation, I cannot see?—I take it he is to pay on the full valuation.

840. Not?—Yes; because he is rated to the full for the purposes of gas and water and sewerage; and I take it that the keeping up of the roads goes on the full valuation. I contend he is paying on the full valuation for keeping up the roads.

841. There must be some premises within the city valuation that are not a habitation at all?—Yes.

842. And that is merely valued as ground; and, taking that, I assume that the valuator would put a value on that gas land, without any building on it, and why should that man, who has no exceptional value put on his ground, get off paying the entire road rate?—We can't light the roads at some distance, without going through land of some kind; but the lighting was not initiated to benefit that land, but in order to light the land on this side and that side of it, and we won't go there until such time as houses are built on it.

843. Mr. O'BRIEN.—In advocating the limitation of the contribution to road-works on lands at the rate of one-third, is your view influenced by the fact that those within the boundary are also subject to one-third of the entire municipal expenditure?—We did not regard the interests of the man outside the boundary line in that matter at all. We simply say we will extend the benefits of the city to the district we intend to include,

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and we will charge the people living there the ordinary city rate; and where their property is outside land, in respect of that portion of it, we only charge them half.

844. You don't propose to bring in the workhouse?—Do you perceive the reason? They want to be brought in for the purpose of having a public station contiguous to them, to keep the paupers in order, and not for the purpose of benefiting the city. I admit that from their point of view it is a very desirable thing; but we should not allow the land to be taxed for that purpose. They pay us no money.

845. What Mr. Walker now tells me is this:—The estimate for the present year, as recommended and adopted by the law and finance committee, amounts to £6,000, for keeping all the roads in the city in repair, and macadamizing and cleaning them, and taking care of such portion of the footways of these roads as are macadamized. The rate is about £4,500 for the year. £500 represents a penny in the pound, so that £4,500 would be 1s. 1d. on the roads, and taking 1s. 4d., it would be the same as the road rate in the county. Does that include keeping bridges in repair?—Yes; the surface of the bridges.

846. Of course it is merely the surface of the bridges—keeping them in order—but it doesn't mean that if a flood comes and takes away the bridges they are to be rebuilt out of it?—No.

Mr. Baker.

855. In the statement you made, now, as to the portion to be cut-off. Am I to take it for granted you do not intend to include any portion of the eastern district?

856. CHAIRMAN.—Don't take that for granted at all. We have the views of the Corporation now you Corporation, that this is what they propose; but we have to consider other questions, and other people's views as well, and there is a general principle involved, as well as individual interests. They propose to take in Shankill and Silver Spring, and to leave you out. They say they don't want to have anything to say to you?

857. I think that they have done very right, and in support of that I would like to say a word. A new generation has arisen since forty years ago, when that large agricultural district was formed into a single barony. The barony of Cork surrounds the whole city, and we are placed in rather a peculiar position, and saved unfairly, for instead of putting the portion that adjoined outlying baronies into these baronies, we were cut off from the county, and formed into one barony surrounding the whole city, and therefore we have a vast quantity of the roads to keep up, all tending towards the great centre—the city, and we are already under heavy taxation.

858. At present what you are paying for the county is about 2s. in the pound?—About 2s. 6d.

859. I will take it on 2s., and if you are brought into the city you will not object to pay 2s. still?—No.

860. Then, the proposal at the highest is that if you are brought in you will only be liable to pay a third of the rates?—But the rates amount to about 7s.

861. No, 5s. in the pound; and suppose you paid half, you would only be paying 3s. in the pound still. So that you would only be paying 1s. more?—But 1s. in the pound is something.

862. And what do you think is the benefit to your barony of having water and light down to the corner of Silver Spring?—We get no benefit from water, for we don't want it.

863. But don't you get the benefit of the lights?—The lights go as far as the city boundary, of course.

864. And don't you get the benefit of the lighting?—As far as I am in the city I do, but that light doesn't throw any light into me.

865. But doesn't it make your place more valuable?—It has given me the power of bringing gas into my own place, and I do that at my own expense; and we are simply supplied with water. We are not in the same position as Blackrock in that respect.

866. But then you are using two miles of the city road without paying a single shilling for it. If that was a county road you would have so much levied off

847. Mr. Buss.—I wish to ask the mayor whether he is aware of the city portion being kept in as good repair as the county roads. I think there is a marked change as soon as you come into the city boundary?—

848. You don't want us to take charge of the roads if we could not keep them as well as the Grand Jury do for you.

849. Mr. Buss.—The county road is far and away better kept, and I travel it every day.

850. CHAIRMAN.—With regard to the extension of the boundaries, the other matter is as to the question of the wards, and we must let that stand over; for, of course, it must depend on our coming to some conclusion as to what should be the boundary as proposed by us.

851. The resolution came to yesterday at the meeting of the Council was to adhere to the dotted line as this map on the boundary?—Yes.

852. Was that passed almost unanimously?—Yes.

853. Did you consider yesterday at all Mr. Blake's proposal to leave No. 4 in?—No; we adhere to our former resolution as to the dotted line in all respects.

854. They asked to be left in, with things as they are?—It would be very desirable to consider who it was made that request, and how many residents were represented by them. Mr. Blake simply said he appeared for a ratepayer.

Mr. BAKER examined.

the barony for keeping it up, but inasmuch as it is a city road, you are not paying a shilling towards it, although you are using it every day?—There must be a line drawn somewhere, and I would make one objection as to the valuation of that district. Within forty years there has not been a single house built between Silver Spring and the village of Glasnevin. I have my own idea that it is valuable building ground, and I have offered it for sale, and I have had a notion up there until it was rotten and decayed, without producing a single penny, and I got two offers within fifty years, but they fell to the ground. If I could let that frontage, as I had offered it for ten years, it would be quite justifiable to bring it into the city, but I have failed to do that, and the reason is that since the establishment of railways, the gentlemen who want houses will go to Queenstown, Monkstown, Glentworth, and even Youghal itself, and come up to the city, when they want to come, instead of going down to the beautiful places I mean.

857. Mr. O'Brian.—But is it not possible that if the city benefits were conferred on that place it might become more valuable?—I say that they have greater benefits at present, being outside the city; yet there are less houses there now than before, for I have two families there where I had four before.

858. CHAIRMAN.—Don't you think that the ground within a couple of miles of the city derives exceptional value from its proximity to the city, as a market, and so on?—I admit the advantages there are in the neighbourhood of a large city like this.

859. And the tendency of modern legislation being to make people pay for the advantages they get, we are here to see whether it is not right to enlarge the bounds having regard to these things?—I am two miles from Patrick's Bridge.

860. And you have the use of the roads for two miles getting into your dub, getting to your market, and so on?—But it is really a rural district, and land that doesn't belong naturally to any city.

861. Taking it on your own statement, you say that, suppose the land underneath Fort William was built on, it would be natural to take that into the city?—That would be a terrace, and so naturally come under the circumstances of the town.

862. Then you want the town extended from time to time as the place is built on?—I think it is fair to consider a place not a town until it is a town.

863. That being your view as to the land at your side of the river, on what principle is it you say that Dendemon Castle, Deserville, Lakeview, and Castle Mahon, should be included?—From Dendemon down to Blackrock is almost continuously a terrace of houses. There



are one or two that have separate access to them, but they are really terraces.

874. And they are a mile further on than you see from the proposed city boundary?—I think Blackrock

Castle is about three miles, and I am only two, certainly.

875. And therefore why should these people be taken in?—Because they are a terrace of continuous houses.

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Mr. Baker.

Alderman DAVID A. NAGLE examined.

Alderman D. A. Nagle.

876. I am a member of the town council for the last ten years, and I have been two years mayor. I have been also Chairman of Queenstown Commissioners, and professionally, I have been engaged drawing up Acts of Parliament relating to Cork, Dungarvan, and Queenstown, in which a great many of these questions arise.

877. CHAIRMAN.—I believe you are not volunteering to come here to give evidence?—I came out of courtesy to the Commissioners, and, I must say, I have not given the matter very great thought, and perhaps my ideas may be crude.

878. In your opinion are the boundaries of the present area too small?—Entirely too small; most expensively.

879. Have you considered the bounds as suggested by the mayor—which are, that the new borough should be recommended by us to consist of the portion within the dotted line?—I consider that, at least, it should be that. I say have some other view. I myself thought of having a radius boundary.

880. In your opinion, should it go beyond that?—My own view is that I don't care so much for a local boundary as a radius.

881. Having had considerable experience in getting Acts of Parliament for Dungarvan, Queenstown, and other places, is it your opinion that land contiguous to a market town, such as Cork, for a certain radius, at all events, derives exceptional benefit from the town?—It is notorious; take the price of land all over the world; take the price of land over America. There are places where it is not worth having, compared with land you get near market cities.

882. Does that apply as well in Ireland and in Cork as in America?—Decidedly.

883. Do you think the gentlemen's residences within a prescribed area—a certain distance from the town, derive exceptional advantages and benefits from the town?—I think it is a monstrous thing that gentlemen having residences near the city, and coming into Cork, and having the divilisation and benefits of the city near them, should pay nothing for them. I say, it is simply monstrous.

884. Have you considered at all to what extent that should go, because it would never do to take a circle; we must try as far as possible to fix townland boundaries within the parliamentary radius, so as not to cut fields?—By the word radius I meant a certain mileage.

885. But not taking the mere bounds of a circle from the centre of the city, but taking townland boundaries as near as possible within that circle?—I would bring it within two or three miles.

886. With regard to these market-gardens down at Douglas, is it or is it not a fact that they derive exceptional value from their proximity to the city?—To be sure they do. Why, these gardeners come down to Queenstown and vend vegetables there at enormous prices, to my own knowledge.

887. I suppose from their proximity to the city they are able to get manure and everything they want?—To be sure they are.

888. Mr. Baker.—I ask Mr. Nagle, for one minute, to look at that map, for if I understand the radius he proposes, it is to put the leg of a compass at the Custom House, and then the other leg would go to the mountains?—I have heard the boundary proposed by the Corporation, and I think it is rather capricious, for I think it is a curious thing that Dundinion and all these places should be brought in and you exempted, and that is the reason I go on the radius principle.

889. CHAIRMAN.—Have you considered then at all whether the persons you bring in from the outside district should pay a differential rate, not giving to those people outside the benefits of lighting, water, and so on, but giving the light and water to the

throughfares, and that people away from those thoroughfares should pay a differential rate?—Have them all rated in reference to all the benefits they get: I think there should be a uniform road-rate, to be called a road-rate, and that agricultural grounds should pay for roads just as well as others, as the roads give them access to the markets. The lighting rate should be different; I don't know whether you have seen a pamphlet of Mr. Balfour Beane, secretary to the railway in England, a man of large position in Parliament. There is a resume of a decision in the House and then he says:—

"The committee when passing the bill expressed their opinion that the parish of St. Leonard's should not be subjected to higher rates than those levied in it before the passing of the Act for a period of five years. No doubt there is fairness in acknowledging the necessity of a differential rate in certain cases although such a difference should never be continued for an indefinite time. In the case of a borough and added area starting upon equal terms there can be no reason for such a distinction, but where the one has been drained and lighted, &c., and the other has not, and where the cost of these necessary improvements are represented in a debt, a portion of which the added area will have to bear, then there is a good reason for limiting the incidence of the rates upon the extension sanctioned. It is well to remember that what is equal is not always just, and it is better, as the Spaniards do, to call that equal which is just instead of regarding that as just which is equal."

That I think is a sound principle.

890. Mr. O'BRIEN.—But as regards the roads transferred to the municipality you make no distinction whatever as to the rates?—No.

891. You think that the transfer from one authority to the other is no reason why any difference should be made in the rating?—Decidedly not.

892. CHAIRMAN.—From what you know of Cork, is there any reason why the Town Council should not be able to manage roads like the roads in the Blackrock district as well as the present authorities?—Far better, I should say, because the Town Council is a fixed body, and not a fluctuating body like the Grand Jury; they meet more frequently, and they have direct representation, and if all these places were taken in, I think that a numerous intelligent class would come in on the Town Council, and be of service.

893. Mr. O'BRIEN.—You are aware of the boundary the Chairman suggested at first—leaving to the townland boundary, or some well-defined boundary, within a radius of two or two and a half miles from the centre of the city?—It is simply on the understanding that they must have an equal road rate I agree to that.

894. Assuming that to be the case, would you see any objection to the line the Chairman has suggested, thus taking in the gentlemen of the Glanmire and Blackrock ends; is there any reason why you should not take in Liscarrow also?—If, in the proportion of representation on the present Council, you brought in these new districts, you should depopulate the Council, and then the body would be too large.

895. But the proposal is to add these parts to the existing wards, and not to create new wards; and, suppose there was no change in the number of wards or representatives, is the boundary suggested by the Chairman reasonable?—I think a great deal would depend on the members; if you divide the city with such a large boundary, fifty-six members would not be able to do the work. I think the work of the Corporation has considerably increased of late; indeed the functions of all corporations are increasing every day very much, everything is coming on them.

896. That might present a very formidable difficulty?—If the increase was in the same ratio, the Town Council might be increased from fifty-six to eighty, and that would be a very seriously body to discharge business.

897. CHAIRMAN.—The reason why I suggested this

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area was because everywhere we have gone the suggestion by the smaller towns has been to increase the area about two miles from the centre of the town, and I thought that that would be so with the large towns also; you think there would be such additional duties cast on the Corporation with their existing numbers that they would be unable to carry on the work; that the body would be very unwieldy, not that the present body could not carry on the work. Recollect what they would have to do with their present staff would be to maintain the roads and sanitary arrangements in the increased district—I will answer you in a roundabout way. People might say at present that the Corporation of Cork could be forty-two very well, and the difference between forty-two and fifty-six members is not very much. To my own knowledge the duties of the Corporation have increased very much, and the tendency of legislation now is to make them local parties for everything, and I am afraid the body would get too unwieldy.

996. The body won't get unwieldy so far as our recommendations go, for we have no power to advise an increase of wards, but it would be a very essential element in considering what we would bring in, if we found your opinion to be that the existing members would not fairly be able to do so the due management of the increased area—I don't think they would be fairly able to do it. Recollect that besides roads, if you start only with the roads rate, there would be other things creeping up—lighting and sewage, and other things.

999. No; because you say it is not contended, and no one asked that, in this extended area beyond the present bounds, you should light or make sewers, except such sewers as would be necessary under the Sanitary Act, and for that you should make them pay a differential rate. But I want you to consider this question: they would pay much less rates and get much less advantages! The incidence of the rates may be low; and what amount of representation would you give them?—You are not giving them the same representation as the people in the city, who pay everything.

998. Wouldn't you give them the same vote, however much as they pay the same road rate, and how their proportion of the other rates of the city, for which they get no advantages, would that not be fair? Should they not have a differential representation; it opens up a very serious question.

991. To include this area outside, would it increase the staff the Corporation should keep up to an extravagant extent—much more than they would require for the roads of the city?—Of course it would; but surely the road is to contribute something towards the staff; besides, owing to the resignation of our late excellent surveyor, Mr. Walker, the Corporation must have a new engineer now, and I don't see why we should not pay that man additional remuneration for taking in the whole of that new district.

993. And the increased rate will go to pay his salary?—If there is an additional rate, it must go to pay the additional expenses.

995. Mr. O'BRIEN.—You desire to see a uniform radius of about three miles from the centre of the city, having a differential rate applicable to every head of expense, except as to the road charges, which you would have uniform?—I would not fix myself to three miles; I would say two or two and a half miles. I agree that the present boundaries are most unsatisfactory and unjust.

994. What is the differential scale, apart from the road rate, that you would advocate as being applicable to that area?—I would take it in reference to the

benefits we would give them. For sewage there should be a rate, and for roads another, and I would have a water rate and a rate for light.

995. Would you think a third or a half of the water rate would be fair?—I think the agricultural land should be liable to at least a half. The multiplication of rates is of no consequence when collected by one officer, as at present.

996. Then you would substitute one-half for one-third?—Decidedly.

997. Would you apply that to all the land inside the borough at present?—I would be glad to know what they pay in London—for instance, what Northumberland House and Lansdowne House pay. I think they pay on the full rate.

998. CHAIRMAN (at request of Mr. Council).—Mr. Council wishes to know whether you did not stand almost alone yesterday in the Corporation in proposing to go outside the projected line?—Well, a great many people who stand alone on a subject are very often right. I don't think they have had time to think this out as they ought. I am only educated from day to day on it as I read the evidence.

999. But is it a fact that you did stand alone in this opinion yesterday?—I believe I did. I believe I did, simply because I believe the Corporation would gladly take in anyone who would contribute to the city burdens, and they were afraid that if they extended the area and included these roads too for they would be taking on additional responsibility; but I think my proposal to make an equal road-rate would meet the objection.

910. Mr. TERRY.—Would you propose to take in any bridges, for I know that one of them, the Wellington-bridge, is unsound? Doesn't that tend to the market for you all in that district?—We have four or five different ways to come into Cork besides by that bridge.

911. CHAIRMAN.—The Corporation propose to take in Wellington-bridge.

912. Mr. TERRY.—How far do you contemplate taking in?—If I start with a radius of two and a half miles I mean to take in everything within the two and a half miles. I think it very strange if you are on one side of the road you are to have the same benefits and pay nothing, while your neighbour pays everything. If you start with a defined principle of a two-mile radius, you must take in everyone within it. I have not given the matter much thought, and I only submit my views as I have been asked to do so.

913. As to the roads contemplated to be taken in under this contemplated scheme, do you think they could be worked so cheaply by the city, with the city labourers, as by the county establishment?—I don't see why they should not, and I think they will be far better kept—I think some of the roads near Cork, for instance, that road out towards Douglas is a disgrace to any place.

914. Are you aware what payment the Corporation make their daily labourers?—I can't say.

915. Do you think it would be more costly to keep a road where the labourers were paid 14s. than where they were paid 8s. 1?—That is obvious, and it must necessarily follow. I may state this from my own knowledge. The Queenstown Improvement Act cost them £600, and they have often said they saved the money over and over again, owing to the advantages they obtained by the transfer from the Grand Jury. The Commissioners must bear in mind something must be done for these outlying districts, and if they are not brought in they will form townships for themselves as they have around Dublin.

Mr. J. B. Sandford.

Mr. J. B. SANDFORD examined.

916. CHAIRMAN.—You are the gentleman who, I believe, seconded the resolution which was adopted by the Town Council the other day in favour of the dotted line as the boundary?—No, I think not. It was Mr. Nagle's proposal in reference to charging agricultural land at a half instead of a third.

917. Did you agree to the dotted line the other day?—I did.

918. You heard the questions asked by the other day about going beyond it?—Yes.

919. For instance, it was suggested on what principle should you bring in Ringaskallen and not take in the gentlemen's seats at the other side. Have you considered that since?—I have, and while I am disposed to go with the Corporation a great way, I think there are one or two ways in which, offering an indi-

valid judgment, I would recommend something of a further extension. For instance, if you take the line proposed by the Corporation, to exclude portions of the North-east Ward, and if you produce that line on there so as to take in the entire district of Glamire, that would be something symmetrical with the district on the opposite side of the river, and it would be of great advantage to the city.

920. That is to go from the present boundary down to the Glamire river?—Yes, and the advantage would altogether depend on not taking too wide a district there.

921. Where would you draw the line there—following the back road down by the National schools to the Glamire river?—Yes.

922. You have heard the proposal of the Council to stop at the west side, at the Institute asylum?—Yes.

923. You heard the questions asked whether, supposing Ringwood is brought in and the opposite side, Leamons and all these places, should be brought in also. What is your view as regards the houses towards Leamons, including Mr. Young's?—I have great objection to the extension beyond what is proposed by the Corporation, except in one or two instances, and for this reason—I think it would be very likely to produce the same effect in our municipal government as has been already produced in our Parliamentary representation—that is this, that you swamp the citizens proper by the influx of burghers, who either pay no taxes (that is under the Ecclesiastical system) or a mere differential taxation towards the city purposes. I think it would be very objectionable. I am with Mr. Nagle almost altogether—that is, if they don't pay equal taxation, why should they have an equal voice in the city representation.

924. Do you agree with the Corporation to exclude point No. 4 on the map to the north-east?—I do, and I do so on the ground that was stated in the Corporation. I have no personal knowledge of the fact myself except as a wayfarer, that the advantages for which these people are brought have not been extended to them. I know this myself that the full advantages should, and can be, extended to every corner, and that a large district like that should not be taxed in full except they get the full advantages.

925. A gentleman came forward here representing some of the ratepayers in that district objecting to be removed from the municipal district, and stating that they would still be of that view even if no additional advantages were conferred?—You refer to Mr. Blake?

926. Yes!—I would like to know the reasons of these gentlemen's objections to it. I cannot well see why they should object to be left out, for they would escape a good deal of taxation, and my impression is that they would be as well off.

927. I presume they prefer to be subject to the taxation and to have whatever dignity may be conferred by being included in the city. Don't you think it would be shameful to remove them against their own wishes?—I suppose there were many strong objections on the part of the inhabitants to the proceeding of the Corporation. You would have had more evidence than that of the professional representative of two anonymous ratepayers.

928. But it has been stated in the public papers that the Corporation recommended that No. 4 should be excluded, and it has also gone into the papers that Mr. Blake asked that it should not be excluded, and I don't find anyone whatever here to tell us whether they want

it to be excluded or not!—But remember that that area has already spoken in the strongest terms by its representative in the Council, and has therefore legally given its opinion. It remains for the other parties to say that they have been misrepresented, but until that is done you must take him as representing their views.

929. You have heard Mr. Nagle's views as to the ordinary district, and so on, and the proposition of agricultural lands in the borough at present?—I object altogether to taking these in, and for the principal reason, about the representation. There are other reasons. In the first place, the Corporation representing, and I think, fairly in this matter representing, the citizens, object to this union, and, as far as I can learn, the outside people object to it also. Well, under these circumstances, I could not look upon it as anything less than a union forced on the people, like the forcing of the Russian conscripts, and I say it could never be a happy union. I agree with him that the duties of the Corporation are becoming every day more complex and heavy. To put on a large area would be to increase their duties, and to intensify the stoppage of business which frequently occurs now. It frequently happens that not more than one-third or one-fourth of the business is got over when the Corporation meets.

930. You agree with him also in saying that the differential scale of rating should not apply to the roads at all, for he says that this road rate differs from the other class of expenditure for which provision is made by the municipal authority, and it should be uniform on all descriptions of property; but as regards other items of expenditure, the rate should form one-third to one-half?—I don't think you can lay down a hard and fast line as a principle that refers to the varying effects of taxation. For instance, it is objected that you should charge some districts as to water and lighting except in proportion, as you supply them with these things, and that they use the advantages. Well, if you admit that principle in one portion of the taxation, you must admit it in reference to the other portion of the taxation, and if you adopt that principle you can hardly think it right that one portion of those agricultural lands should be charged differentially, even in respect of the road-rate, in comparison with other lands of a similar nature which might use the roads to the same extent. Therefore, I would tax them differentially, even for road purposes. Take, for instance, a manufacturing establishment, such as the Lee Mills; you know very well that the traffic from these wears the roads, and that they are a greater drain on the roads of the city than a merely agricultural plot, and so I would charge them differentially.

931. Mr. O'Brian.—In applying a differential scale you would not distinguish between road expenditure and other classes of expenditure, but you would apply the scale to all items of expenditure?—I don't think there would be any reason for applying it in one case that would not be as good a reason for applying it in every case.

932. Mr. Young.—Isn't it a fact that you sometimes have no Council to meet at all?—I have once seen a Council dismissed for want of a quorum.

933. How long are you a member of the Corporation?—Since last November twelve months.

934. Are you a regular attendant?—I think I am not bound to criminate myself. I cannot say I am.

935. What sort of attendance do the committees give?—I am not on the committees, and I can't say.

#### MR. HENRY LINDSAY YOUNG examined.

Mr. Henry Lindsay Young.

936. Mr. O'Brian.—The only extension you advocate, in addition to what the Corporation propose, is on the north-east, following the dotted line in the manner indicated?—I would also certainly suggest strongly the including of the workhouse in the city.

937. What district would you take to bring in the workhouse?—Any convenient boundary.

938. What are the grounds on which you advocate that?—It is a matter of duty, and as it is a large institution with a large number of inmates, who, as experience shows, sometimes require the force of the law to be brought to bear on them, I think it should be

within the reach of the police, and within the reach of a daily bunch of magistrates. I think if they were within the corporate boundaries you would have these two advantages secured.

939. Mr. Nagle.—But that would be met by a general law saying that the workhouse should be declared within the jurisdiction of the nearest police?—Mr. Nagle might shoot a fly with a cannon, but that is a different way from what I propose.

940. CHAIRMAN.—You are not in the Town Council?—No.

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941. You are a magistrate—Yes; of the city and county.

942. And you live at Leeson-st., about four and a half miles from the city of Cork?—Yes, and in the city.

943. As living in the city is in your view that there should be any increase in the boundary?—Yes.

944. You have heard what the Corporation propose as the increased borough boundary, and you see it within the dotted line on map A?—There is another very important body in this city besides the Corporation, and that is the Board of Guardians, who represent a very large amount of taxation, and a resolution was passed at that Board of Guardians yesterday, (see Appendix No. 3), and it appears in the papers to-day, which I secured, and it was carried unanimously—that they approved of the increased boundaries to be laid down by the Corporation of Cork. With a very few modifications I thoroughly agreed with that, and I voted at the Board myself, adopting the principle laid down by the Corporation, reserving just a few changes to myself. That is my own particular view.

945. Would you tell me in what your opinion differs from what the Corporation propose?—I think you should either not adopt the peninsula of Blackrock at all, or take in the natural boundary at the south side—the Douglas channel. By adopting the Douglas channel as the boundary, and coming up by the Douglas-bridge, you could take in such portion of the Douglas-road, taking in the workhouses as you deem practicable, for I hold it not to be exactly the thing to take in a large stretch of agricultural country, because there happens to be half a dozen gentlemen's houses on an extent of three miles.

946. Then your view would be to have from Dandamon down to the end of Blackrock?—I would take in the whole ring, and come up by Douglas-channel, and by Douglas-bridge, and when you come there you are within a mile of the workhouse.

947. And how would you propose to go from Douglas-bridge? Would you propose to take the roads to the south?—That would be entirely a matter with you, but certainly it should embrace the workhouse. There are a great many gentlemen's residences in that mile of the Douglas-road, and whether you would take in both sides of the road, and make Boreenacoma and the boundary, or the Tralee river, is a question for yourselves.

948. You would go round taking in the whole of the line?—Yes.

949. Then you go up as far as the Douglas-bridge?—Yes.

950. Then how would you come up from the Douglas-bridge?—By the Tralee river.

951. Where would you carry that on to?—You would cross the river as far as the railway.

952. The objection to the workhouse is that it would give them the benefit of gas from the city without paying for it?—They are getting gas there, and we ratepayers are paying for it already, and we are paying for water already, for which we get nothing whatever.

953. Suppose you bring the workhouse into the city, it gets all the benefit of lighting without paying a shilling?—Here it gets the benefit now. It is fully lighted at present. The streets are lighted up to within a few hundred yards of it.

954. Then all the Corporation would have to do would be to give them public lighting up to that, for they have private lighting at present?—Light would be nothing.

955. They get water at present?—And they pay for it at present.

956. But under the Poor Law Acts a workhouse is in the nature of a public building, and it is relieved from taxation. Wouldn't they get all the water for nothing?—No; they pay for water and gas both.

957. Your proposal would take in all the residences on the Douglas-road, and all that appears to be market garden?—My suggestion was not a hard and fast rule at all.

958. Taking in the whole peninsula of Blackrock, is it your opinion there should be a uniform rate for all that district, and a differential rate with regard to the other taxation of the city, or a differential rate for all?—I would have a differential rate for all.

959. On what principle would you say the rate should pay less for roads, because he is brought within the boundary, than he pays at present?—If the Corporation are bound to keep the roads in repair, it must come out of some rate.

960. Mr. O'Brian.—At present all these roads are paid for out of one rate—why, if they were transferred from the county to the city, should there be any change in the road rate?—You know the county rate varies according to circumstances. There may be a rate for a moor or any other circumstance.

961. But there is no varying as regards the class of property?—The rate in the county varies according to circumstances: a bridge may have to be built, and a rate may be levied on the county-at-large. It expands and contracts according to circumstances.

962. And why should they get exceptional benefit, because they are brought within the town?—I look upon it not as a benefit, but a positive loss to the owners of those outlying places.

963. Even on the differential scale?—Without any benefit whatever. You don't contemplate giving them fighting or water; you contemplate doing nothing, but you come in and say—We will take the place of the Grand Jury, and we will make you pay one and a half the taxes you are paying, and give you no benefit whatever. It is said you do not even make them citizens, but you come out from the city and tax them.

964. CHAIRMAN.—Do you approve of No. 1 boundary on the west? The extension I would approve of would be somewhere about the western boundary of the lunatic asylum.

965. That is where it is?—For the very same reason as was mentioned respecting the workhouse, it is desirable to have the lunatic asylum within the city proper, because, as Mr. Sandford said, there are many cases arising where summary jurisdiction is necessary, but in bringing cases before the county magistrate they must wait, at least, a fortnight, and sometimes a month, before they are collected upon, besides you have a perfect system of analysis as to milk in the city, and it is necessary to have a speedy means of making contractors pay the penalty for their misconduct. There are many reasons why it is necessary and desirable to have the lunatic asylum also within the city.

966. Do you approve of the alteration No. 2?—You bring in the flax mills. I know the locality very well, indeed; but, at the same time, I would not like to offer a positive opinion on that. I think the Corporation are the best judges there. Indeed, with the exceptions I have pointed out, I think the Corporation have made a very fair addition to the city, and a very large one too.

967. You have not considered this question about No. 3. That is more a question for the people themselves up there?—Yes.

968. Do you agree with Mr. Sandford that the dotted line should be extended to the east, to that point corresponding with the opposite side?—I think that side is more thickly populated.

969. Do you agree that if you extend the line on one side you should extend it on the other also. Would you bring in all the people in No. 3, and leave out the people on the other side?—Since 1847 they went down to the one side and left out the other.

970. Don't you think, with the extension to the south-east, it would follow, almost as a necessary consequence, that there should be extension on the north side?—The addition now contemplated would be less objectionable than the former inequality on the south side.

971. Do you think it would be fair to exclude it because one district is much more thickly populated than the other?—Yes.

972. And by reason of the smaller population to the north you don't think it necessary to make the same extension?—No.

973. Within the dotted line they propose to give them all the benefits of water and light, but suppose the other side was brought in so as to—In consequence and not get the benefit of water and so on—in consequence

of the fact that they get roads and lighting up to a certain point for nothing, would you say that in fairness Mr. Baker, for instance, who is just outside the line, and finds water and lighting at his avenue door, so to speak, should pay something? The same principle would apply at every point where these benefits extend, and don't you think they should contribute?—I would not certainly be for going beyond the Corporation line there at all. I think it is quite far enough already.

974. Take Laleklands—Mr. Crawford's place—and wouldn't you consider it a hardship to say you would make him pay, while you do not make Mr. Baker pay anything?—No.

975. You say if you had a populous district you would not object to be brought in. Why bring them in and not bring the others in at the other side?—You must stop somewhere, and here a natural boundary offers in the shape of that channel.

976. But would that not comprehend a great deal of territory that is not thickly populated at all?—It would.

977. Then you have a natural boundary at the other side also?—It is very hard to draw it exactly correctly, and the proof of that is what I said before.

978. If you extend the bounds on one side, why not go to the other side?—You take it that I am not wedded to my opinion in this. I merely offer it as my opinion.

979. You would suggest this as the natural boundary?—Taking the whole line in, would you make the people at the south-east of the line pay the same taxes as the people in the city, or would you have a differential rate?—I would have a differential rate, certainly, and I would be inclined to think a third would be quite enough.

980. For lands?—Yes.

981. Would you have a third of the county cess, as at present?—No, a third of the city taxation.

982. Would you make them pay the whole of the road rate proper, the same as now, or would you only make them pay a third of the rate for roads?—I would make them pay a third of the city taxes, taking that to be about 6s. 6d. He would be paying just the same for

the same advantages under the one system as he would under the other. The only thing is with regard to the payment of the taxes, or the division of them.

983. What would be your view as to that?—If you annex now I would divide the taxation between landlord and tenant, and allow each to pay half, and after the passing of some Act I would make the landlord pay half in all yearly tenancies, and I would include in that provision all houses that would expire within the next seven years. In that way I would divide the taxation between the landlords and tenants, on the understanding that the owners should have representation in the Town Council, and that they would, in addition, have their own city representatives—that is to say, the occupying tenant would vote for one set of members of the Town Council, and the landlords themselves would vote for another set of members of the Council, so that they would have their distinct representation not only in the Corporation, but on the Harbour Board.

984. That would raise this difficulty—first, with regard to the agricultural man, would you only make him pay 2s. 2d., and make the landlord pay half of that, for at present he has to pay 2s. 3d., so that he would benefit to the extent of 1s. 1d. 1/2?—It is contemplated to make those who are paying those exceptional rates no longer so at all.

985. Having regard to your suggestion, would you think it fair to make them pay for the roads, just as at present—that is, only changing the body to whom they are to pay what they pay at present to the county, but in addition, as regards all other taxes in the city, that they should pay one-third or one-half, and that that should be divided between the landlord and tenant?—It may be the correct view to put all the taxes upon everything you include, and to divide them with the landlord, and make them all borough burghesses, and make no exceptions. In the answer I made a while ago I understood the principle proposed was to divide the taxes and give no privilege as burghesses. My idea would be to put the whole tax on the people included, and divide it between the landlord and the tenant.

Mr. W. S. CRAWFORD examined.

986. I live at Lale Lodge, on the Glenamire river, outside the city, but I have property in the city.

987. CHAIRMAN.—You heard the proposal to bring you in at a differential rate, and not to give you any benefit?—I wish to say that it can give me no benefit or advantage whatever to be brought into the municipal boundary; that I would not like to be brought into the municipality at a differential rate which would be founded on a certain rate—say a third or a fourth of the taxation of the city. The taxation of the city has a tendency to rise, and will rise, I have no doubt, and it would affect my property seriously if the taxation was increased. I have property also in other places. It is hard enough now, I believe, to let my property in that district, but if it was once brought into the municipal district, with the risk of the taxation being increased, it would be still harder to let it, and it would diminish the value of property in that neighbourhood.

988. What is the distance of your place from the centre of the city?—I can't tell you, but I believe it is four miles exactly from my door from whatever place it is measured. I believe the Post Office is the place.

989. Then your place would not be brought in by the line suggested by Mr. Standford?—No.

990. You have an exceptional case. Wouldn't you say supposing you had no property in the city at all that this house of yours got benefit from the city?—No; we certainly pay our proportion for keeping the roads in order which are worn out by the traffic from the outlying burghs irrespective of the city altogether.

991. But you have an exceptional case, because you say, "I am very largely taxed in the city, and therefore I have a right to use every bit of the road in respect of the city taxation, and I get no benefit, for I have to pay for everything these roads cost up to that

point," but Mr. Baker has not the same argument, for he is not heavily taxed in the city?—I think Mr. Baker was unfortunate in what he said, for he can have a traffic fine cheaper than he could gas. As present we pay for what we know in the shape of county cess, but if we are brought into the municipal boundary we are being brought into unknown taxation.

992. What are you paying at present?—I am paying to the county 2s. and something in the year. I am paying for malicious burnings. My last half year's poor rate was 1s. 10d. 3/4.

993. If you were within the city you would escape being charged for malicious burnings?—I understood the other day that the Commissioners wished the opinion of persons living within the electoral boundary, and I only wish to say that I have no desire to come into the city.

994. Mr. O'Brian.—Would it be consistent with general principles, or reasonable to carry out the Corporation suggestion on the south side, and to exclude all the land at a similar distance to the north of the city?—I came here unprepared to give information with regard to that.

995. Suppose you had no property in the city, and that you were taking this house of yours as a residence, you would derive great benefit from having the roads lighted up to that point?—No, I think light is of no use to me.

996. Coming out at night is it no use?—No; we generally have lamps, and people in the country don't go out much at night.

997. As to what Mr. Young was mentioning I suppose no gentleman out in the country would have much objection to pay half, and have the other half thrown on the tenant?—In every instance it could not be done. What if you have long leases.

Cont.  
JULY 18, 1878.  
Mr. Henry  
Lindsay Young

Mr. W. S.  
Crawford.

Chairman.

Jan. 12, 1879.

Mr. Robert O'Callaghan.

998. I object to the line proposed by the Corporation as the boundary. Mr. Young has stated that the Board of Guardians unanimously passed a resolution to adhere to the dotted line of the Corporation, and he comes forward himself to say that the whole of the line should be brought in. Well, I object to the whole of the dotted line. I think it very unfair that the whole of the southern portion which is purely agricultural ground should be brought into city taxation from which I derive no benefit.

999. CHAIRMAN.—Is it your opinion that you don't derive any benefit from your proximity to the city?—No, I am within the line as regards my house and portion of the land.

1000. But as regards the portion without the town, don't you think it derives benefit?—No, I certainly not as regards a large proportion of the agricultural land south of the line, for with the exception of a few houses you get in all agricultural land.

1001. Is it your opinion as an agriculturist that the

land there is not more valuable than land further away?—It is certainly more valuable.

1002. Why is it more valuable?—Because it is better land in the first place.

1003. But suppose you had ten acres exactly of the same quality, would you say that ten acres down by the line would bring more than ten acres some miles off?—It would.

1004. As the land is of the same quality; but that increased value on account of its proximity to Cork and market towns?—It is.

1005. Therefore don't you think that that land should pay something towards the expenses of the city which makes it more valuable?—Certainly, but not to the same extent.

1006. What differential rate should it pay?—One-third at the very most.

1007. Then the only difference between you and the others is one-third instead of one-half?—Yes.

## CORK.—TUESDAY, DECEMBER 2ND, 1879.

[Before the CHAIRMAN.]

Mr. ALEXANDER McCARTHY, examined.

1008. CHAIRMAN.—Have the Corporation considered the question of the wards since we were last here?—Yes.

1009. And I believe from what I see here they abide by their former representation as to the boundaries?—They did not reconsider that question at all.

1010. Then there is no suggestion or formal proposition on the part of the Corporation with regard to that?—No.

1011. What have the Corporation now to propose with regard to the wards? First of all supposing there is no alteration of the boundary, would they wish the wards to stay as they are?—Yes.

1012. Have they considered the question with regard to the north-east and north-west wards in which the valuation is about £60,000, and where they have only got the same representation as four other wards in the city, that represents the same valuation?—They decided not to recommend any alteration.

1013. I may tell you that at Belfast the parties there all appeared to be in favour of an arrangement by which the wards would be as nearly as possible equal?—A large portion of the north-east ward has a differential rate for gentlemen's houses, and I dare say possibly on the valuation they do not pay so much as the other wards. What we do is, we take the whole of the valuation. I only rate at one-third the ornamental land, but I think the valuation returned is the gross, including the land upon which the full rate is charged for some purposes, for instance for water rate purposes, but as improvement rate only 3d. is charged on the valuation on land.

1014. How can you get over this fact that in the north-eastward here the valuation is £82,000, and there are 480 voters, and then there are two wards in the city with a valuation of £18,000 each—£36,000 for the two wards, and the number of voters is about the same, how can that be right for Cork when it is wrong in Belfast, Liverpool, and other places?—Under the original Act of the 3rd and 4th of Victoria there were eight wards given to Cork, and at the time the Corporation got the powers of the Wide-street Commissioners there was a contest in the House of Commons on that very question, on the allegation that there were too many wards and too many Town Councils. There were two Commissioners then appointed, one a Royal Engineer officer from Dublin, and I don't remember who the other was, and they came down here, and their instructions under the Act of Parliament were to give two wards at the north of the river, two on the south, and four in the centre of the city, and on that basis the original arrangement of the wards was made. Whether it was right or wrong it is not

for me to say. In theory there is no doubt you should have them a little more equal.

1015. It appears to me that Cork is very like Belfast in some respects—that is that there is a great quantity of land around a thickly built-up and populated town. It was considered in Belfast desirable in 1853 to make the wards all radiating from the common centre of the town in such a way that the interests of the country portion and of the city portion would be represented. Would it be possible do you think, or fair to radiate from the centre or heart of the city, and bring in a certain portion of the district all round into the different wards, radiating from the centre? Do you think that could be done?—It strikes me there would be a great deal of difficulty about making the bounds.

1016. Mr. O'Keefe.—The natural division of labour will reflect that radiating a good deal.

1017. CHAIRMAN.—The same thing arises in Belfast. The Lagan flows through the centre of the town.

1018. Mr. O'Keefe.—If you look at the map you will see there is no means of communication above the bridge, the Wide river separates that, and there is no means of communication. These wards appear to me to have been selected more for the natural dividing lines of the river than anything else, and then the city proper was dealt with as a block by itself, and subdivided in itself. As you will observe the city block is surrounded with water, and there may be some difficulty in adding to any of that city ward, or to the arrangement of outlying districts—the north and south city branches.

1019. CHAIRMAN.—There could be no difficulty in adding on for instance to No. 2 and No. 4. There could be added on the portions they propose to bring in, —added to each.

1020. Mr. O'Keefe.—This is what is proposed. If you will glance at this tracing you will find it carries out that idea. The portion at the north of the river is taken into No. 2, and the portion south of that branch of the river is taken into the middle ward.

1021. CHAIRMAN.—Why have you divided No. 1 C and No. 1 D?—There is a natural division there of the Bishop's Millstream.

1022. You put the whole of that into No. 4?—All the red goes together. The other portion lying to the west is divided between three wards.

1023. Then I am to understand that there is no one asking for any rectification of the wards in point of fact?—No.

1024. With reference to this new ward, Mr. O'Keefe, that you propose of Blackrock, what would be the valuation of that?—I think the treasurer may be able to give you some information as to that, but the dif-

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Mr. Alexander McCarty.

cally is that he would have to go through the whole of that ward with the rate collector before he could get the actual valuation, because it is not a defined piece of land, it is only portion of certain townlands. There is an approximate valuation of £7,494.

1023. In the Blackrock ward?—Yes, that is from a memorandum which I got from the treasurer.

1024. Would it be the proposal of the Corporation to give a valuation of £7,000 a representation of eight—two aldermen and six town councillors?—(No answer.)

1027. The valuation of the entire of the Blackrock ward for poor law purposes is £14,903 12s., and the rate is £540s. 12s. 3½d. The total average of the Blackrock ward, as proposed now to be included with the park is 804s. 3s. 10s. 1—Yes.

1028. How did you mark out that boundary, Mr. O'Keefe?—I do not know what the object was for marking such a boundary.

1029. Mr. McCortley.—The object was not to run through roads. We objected to taking the centre of the road, because under that arrangement we generally found that one half of the road was well done, and the other half badly done.

A deputation of the Cork County Grand Jury, consisting of Mr. D. F. Lecky, Capt. D. R. P. Sarsfield, and Mr. Isaac Morgan, and also a deputation representing the inhabitants of Blackrock, consisting of Messrs. William S. Crawford, Richard Harris, and Charles Connell, waited on the Chairman at this stage.

1030. Mr. D. F. Lecky said:—At the last Summer Assizes a Committee of the Grand Jury was appointed to look after the interests of the County Grand Jury in reference to the proposed extension of the municipal townlands of Cork. Capt. Sarsfield, Mr. Crawford, and myself appear here on the part of that Committee, the other members not being able to be here, and the other gentlemen present here represent the barony, and in particular the neighbourhood of Blackrock. On behalf of the County Grand Jury I beg to represent to you that in the year 1842, the ancient Liberties of the city of Cork were detached from the city under the Municipal Act of 1840, and those Liberties of the city of Cork were formed into the barony of Cork. Previous to 1842, there were twenty-two baronies in the county, and of course the creation of the Liberties of Cork into a barony made the number twenty-three. Under the Act of Parliament, I presume there was a power of appointment for an arbitrator. At all events, when the matter of compensation came to be discussed between the county and the Corporation of Cork for the loss that would arise to the city by the taking away from it of this valuable barony of Cork, it was necessary that there should be a valuation made to arrive at the sum that it would be necessary for the county to pay to the city as compensation for losing so valuable a portion of its townlands and property. Under that Act, Mr. Thomas Rice Henn was appointed to act as arbitrator between the city and the county (see Appendix, No. 1), and the result of the arbitration was that there was a sum of £12,000 awarded to the city, to be paid over by the county in sixty half-yearly instalments, with 5 per cent upon the balance at each half-year. Well, sir, I suppose it is unnecessary for me to say here that this sum has been overpaid by the county through an error. A certain amount of that overpayment was acknowledged by the Corporation in 1871, and was repaid the county, but not to the full amount, and there is still a balance due to the county of between £300 and £400, which, of course, it will be our duty to represent to the Grand Jury. By the present proposal the entire of the most valuable parts of the barony—or, if I may use a vulgar expression, the tit-bits of this barony—of Cork are detached from that barony, and from the county. The valuation of Blackrock alone, for instance, is, I understand, £7,500 a year. Well, I am in no way prepared by statistics to show you what the valuations of other portions that are proposed to be taken is belonging to the barony are, but they are likewise equally of a considerable amount of importance. Now, in putting this matter before you on behalf of the

County Grand Jury, I beg to call your attention to these facts—that there is a very considerable amount of what I may call establishment charges—of course in every county it is so—but in this county the amount is a very considerable one. There are likewise in this county, as in other counties, thrown upon the county-at-large, charges which in this county are so more than in any other county in Ireland, as it has such an enormous sea-wall, and as we have the bridges and levies and such like, and the keeping of the roads. Of course the barony of Cork has to bear its burden of these county-at-large charges, and by your taking away from that barony its most valuable bits you must of necessity weaken and reduce the limits of that barony to an extraordinary extent; in fact, it would become almost so circumscribed that it would be hardly worth calling it a barony at all. Well, of course, it could not be expected once its area of taxation was so enormously reduced that it should be asked to bear the burden of those charges as formerly, but the entire county would have to bear them. I am not representing the barony, but the County Grand Jury, and the county would then of necessity have to pay these charges if the barony or the portions of it that are contemplated are taken for this addition to the city of Cork. It is upon that plain statement of facts that we are here as representing the County Grand Jury and appear before you. Upon the occasions that you and your brother Commissioners sat here before, the County Grand Jury were not represented, because they as a body were not aware of the proposal at all. As soon as they met, which was in July or August last, they immediately took the matter up, and I believe the report of the committee on the subject was sent to the Commissioners (see Appendix No. 2). In conclusion, I have merely to call your attention to this very important fact, that if it is decided that the county of Cork is to lose these valuable portions of the barony of Cork that are now to be included in the city, it will be only fair and just that the county of Cork should be reimbursed a sum in proportion to that loss, inasmuch as when the city gave up to the county the Liberties of Cork the county paid them simply what was decided by Mr. Henn as compensation therefor.

1031. CHAIRMAN.—Supposing that £12,000 was out of the question, would the Grand Jury not think it fair to apply the same rule to their case that may be applied to other parts of Ireland, or is it that they object and say, "It is not fair that we should have a similar rule applied to us the same as other towns, because we were made to pay £12,000, and something should be done to give us back that money?"

Mr. Lecky.—The feeling of the Grand Jury is this: they do not object as a Grand Jury to the accession by the city of any property which you and the Government consider necessary for the proper extension of the borough boundary, but they do consider, and I think with fair reason, that when upon the occasion of the city giving up the Liberties to the county in 1842, they paid that sum that I have mentioned. The county distinctly has a right to be reimbursed the value of the part they are now to lose.

1032. Captain Sarsfield.—Another very important point is that there is very large traffic on the roads coming into Cork. The barony has to pay for those roads, and if you take from the barony the parts that enable them best to pay, and that they are then left with a very small circle round these—an area very much circumscribed—I don't see how they could be expected to pay the enormous expense of those most expensive roads—amounting in some cases to 10s. a perch. The whole of the roads of that very barony are most expensive, simply on account of the extensive traffic upon them.

1033. Mayor.—Captain Sarsfield forgets that the Corporation are going to take charge of those roads, which are in most respects the main thoroughfares leading into the city.

1034. Mr. Harris.—How much of the Douglas-road will you take in?

Mayor.—None at all.

CORR.  
Dec. 2, 1872.  
Mr. D. F.  
Lecky.

CORK.

Dec. 1, 1871.

The Mayor.

1035. Mr. James Morgan.—I do not intend to speak exactly, or in any way of the disadvantages which would arise to the barony of Cork from being connected with the city of Cork, which are obvious in themselves, but as far as the county-at-large is concerned, and altogether apart from the barony of Cork, I think the case of the county-at-large should be considered. In the year 1842, the valuation of the barony of Cork was £58,732 7s. 6d. In the year 1879—that is the present year—the valuation of the same barony was £71,384 15s., being an increase between the years 1842 and 1879—thirty-seven years—of £12,652 7s. 6d. Now the barony of Cork is the very highest valued of all the baronies in the county with the exceptions of Imokilly, Duhallow, Ferryport, and Barrymore. I would now go to another branch of the question, and that is the amount that the county-at-large have to obtain this present year from the spring and summer levies from the barony of Cork, for the support of the different matters that the county-at-large must pay. In the spring assizes of 1878, the levy for the general expenses of the county was £1,190 2s. 3d., and at the summer assizes of 1879 the amount was £1,300 12s., in all making for the year, the large amount actually received from the barony, £2,491 1s. 2d. Now the county-at-large has to bear the following expenses:—It has to bear one-half of the cost of maintaining all the carriage roads on which the mails are conveyed. It has to maintain and construct bridges according to the way the Grand Jury may apportion the cost either upon the barony in which the jury lived, or upon the neighbouring townlands, or upon the portion of the county, but at any rate they have to generally support a very large proportion of bridges. They have all the officers' salaries, they have the superannuation allowances also for those officers who have become aged in their service; they have the conveyance of prisoners in the first instance, but that is afterwards repaid by the Government; they have the reformatories and industrial schools to support; they have also to support the lunatic asylums, and the county infirmary, and to pay the rents of all the session-houses in the county, the registration expenses of voters, the valuation expenses, polling, and miscellaneous charges. To those charges the barony of Cork contributes the sum of £2,491, and it appears to me that if it is sought to take any portion of the barony of Cork away from the county, they have a right to repay the county a sum sufficient to cover whatever may be taken from them. If the city did not expect to gain anything by it they would not want the change to be made, and if the city gain the county must lose, and, I think, as a matter of justice, we should be fully protected in this matter, and that the county at large should not in any way suffer.

1036. CHAIRMAN.—What is the county cost on the barony?

Mr. Morgan.—1s. 6d. in the pound half-yearly. Quite apart from that question there is this, at the Spring Assizes what is contributed to the general expenses by the barony of Cork was £1,190 2s. 3d., and at the Summer Assizes £1,300 12s., making for the year £2,491 1s. 2d. I would like to know how that is to be recouped to the barony?

1037. CHAIRMAN.—Why a great portion of the barony will remain behind. For instance what they propose to take of Blackrock, is valued for poor law purposes at £14,302 6s.—that is the Blackrock ward—and for the portion taken away there would be a corresponding diminution on the expenses of maintaining roads, bridges, &c.

1038. Mr. Leahy.—There is one other matter that I wish to mention, and that is this, that though the principal sum was £12,000 there was attached to that sum 5 per cent. interest. Well, I cannot say what it amounted to the last time it was paid in 1872, but I know that from the year 1842 to 1864, when there was a calculation made as to how the county and city stood, as regards that there was up to the Spring Assizes of 1864 a sum of £2,800 was paid out of the

£12,000, and there was a sum of £8,800 interest paid, so that it is only fair for the public to know that if the county are to be assessed a large sum by way of compensation, it would be desirous the public to think that the sum the county are to receive would be £12,000, and that that would be the limit of the sum, because when the county paid the city £12,000, they paid there considerably over £12,000 before, in interest, so that instead of the sum being only £12,000 it would be a sum of about £24,000.

1039. The Mayor.—I don't think this is a question of assessing at all, and as far as the Corporation is concerned I have very little to say upon this subject, at any rate at this stage of the proceedings. The reasons for including and annexing these portions of the barony to the city of Cork were given in evidence here at the last sitting of the Commissioners, and that would have been a very good time for the county Grand Jury to come forward and oppose the proposition if they were intent on opposition; but I allow that the county Grand Jury knew nothing about it, and I have not any objection at all, and, on the contrary, I think it is quite proper for them to come now and represent their view of the matter. But I submit to the ultimate tribunal in this case, whatever it may be, if I had the voice of it, and was present, I would submit that the grounds upon which the Grand Jury make their objection are not tenable at all upon a question of this kind. It is not a question of compensation between one public body and another. This is a question arising out of the Boundaries Commissioners sitting for the purpose of seeing whether the municipalities and townships of the whole country must, as they ought to be in a great many instances, be enlarged. From time immemorial the towns and cities have been growing beyond their original limits into the country, and it is the first time I recollect of any claim being made on the part of a county for having been shorn of a portion of their territory. The only point that the county Grand Jury make is made by Mr. Leahy when he says, when he urges his case that he does so because on a former occasion the city was compensated for what the county took. Well that may have been a very good thing, or it may have been a very wrong thing, but, whether it may have been right or wrong, and I am not at all certain that it was right then, nevertheless whatever the circumstances might have been then, we have to consider them now from the present point of view, and I hold that it is not the interests of the County Grand Jury that should be considered here, but the interests of the persons in the inhabited districts that we propose to annex. They are beyond all question about being absorbed in the city, whether they like it or not, no matter what public body has control over the affair, and the Legislature and any Commission directed to inquire into the subject by the Legislature would have to consider in connection with this district about being absorbed in the city, whether or not it would have advantages which the city will confer upon it, but which the county never will give it. Will the county light these roads with gas and keep up the repair of those roads, or flag them as the Corporation will do, and will be bound to do? Will they supply them with water and sewerage? Will they do all those things that the city will do for them? and that, in my opinion is a question to be considered by you mainly, and not the very narrow one of compensation in consideration for what the Grand Jury paid formerly. As far as the Corporation are concerned, and as far as I am able to interpret their views, and I do not wish or pretend to bind them to anything, they believe they are doing what they are doing for the benefit of the city, and that portion that will be absorbed in a short time into the city. I think they would resist to the utmost any attempt to make them by way of compensation for conferring benefits on that portion of the county annexed.

1040. Mr. Leahy.—Representing as we do the Grand Jury of the County we would not wish it to be understood that we in any way wish to obstruct the extension of the municipal boundary of Cork. We do not



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you have with any narrow-minded feeling in any way whatever. We simply come here to point out to you or the Commissioners sitting here, and to do our duty to the county—to point out to you that in the year 1843, under an Act of this Corporation, there were certain properties taken from the city and given to the county, and that the county paid the city a certain sum of money for that property. We simply come here as discharging our duty, and not to oppose what we know in our hearts must be done—the extension of the municipal boundaries. We do not come to oppose that. We come on the simple plain statement that when we have already paid the city for what we got, and the city takes the most valuable portion of what they gave us in 1843 from us, that every man of common sense will admit that we are justly entitled to seek from the Corporation a proportionate sum of money for the property so lost. That is what we are representing, and I think it would be a great pity that it went before the public in the slightest degree that either this deposition from the Grand Jury or the Grand Jury itself, sought for one second to deter the Corporation, or you, sir, as a Commissioner sitting here, to deter you from recommending what you conceive to be for the benefit of the city of Cork.

1001. CHAIRMAN.—I did not understand that the Grand Jury offered any opinion about the boundaries.

1002. The Mayor.—I am quite aware too that it is simply a matter of compensation.

1003. The Town Clerk.—In the case of Queenstown there was no claim made.

1004. Capt. Sarsfield.—The reason we make the claim is because we paid the money before.

1005. Mr. Leahy.—What we would ask you on behalf of the Grand Jury is this.—In your report to mention that this representation of ours forms an exception as regards any other case you have come across, and that we have been steady, as this is money we paid over to the city of Cork as a sure plain fact. What we will ask you to represent in your report is that, and that the Grand Jury of this county consider that they are entitled at all events to a *pro rata* compensation, for the portion of the barony proposed to be taken.

1006. Mr. Morgan.—I would further ask you also to take notice of the sum which the county-at-large receive from the barony of Cork, £2,491 1s. 3d., being their proportion of the county charges, and that if the very best, the cream of the barony is to be taken—£15,000 a year—that there should be, by arbitration, a fair adjustment of the sum of money that the county-at-large will lose.

1007. CHAIRMAN.—How will the county-at-large lose it?—It will have to be made up by the other baronies, and it will put an increase on the other baronies.

1008. Mr. Morgan.—If there is a sum of £100,000 to be made up by public taxation, and a portion of this county that should contribute to that taxation of £200,000 is withdrawn from the area over which that taxation is levied, the amount must be made up by a large levy on the remainder.

1009. CHAIRMAN.—To a certain extent you are wrong, and I will tell you why. The portion of the barony of Cork proposed to be annexed, if it was brought into the city by us, is no longer pays its contribution for the county-at-large charges to the Grand Jury, but it pays it to the city; but then the Grand Jury are lightened from the expense of that which cost them a good deal when they got it from the city. What the barony at present pays for the reformatories will be raised by the city paying for the portion brought in. The county will be relieved of no much. Then with reference to the County Surveyor there will be less on which to levy his charges, there will be a loss on of roads to be kept up by the Grand Jury, but as regards the reformatories and county-at-large charges, it does not make one single pin's worth of difference as regards the prisons, lunatic asylums, and reformatories.

1010. Mr. Leahy.—But as to county works, such as harbours, bridges, &c.

1011. CHAIRMAN.—Certainly, with regard to them there will be a difference, but not in the cases I have just indicated.

1012. Mr. Leahy.—Take the Youghal bridge, that is £20,000, and in a county-at-large charge. The barony at present pays its contribution.

1013. CHAIRMAN.—But it is not in that way it has been represented to us. The county-at-large charges have been represented to us as covering of the prisons, reformatories, and those sorts of public matters. The county-at-large will be relieved of their proportions of those charges when this district is brought in, because it will be paid by the city; but you are perfectly right as regards the other county-at-large charges, left in Mr. Morgan's calculation of £23,400 odd, he has included the reformatories, lunatic asylums, and so on.

1014. Mr. Morgan.—I say what is contributed by the barony of Cork towards the county expenditure in general is £2,491 1s. 3d., and that that includes one-half of the cost of the mail carriage roads and bridges under Grand Jury contract, whatever they are, three-fourths of officers' salaries and superannuation allowances, the maintenance of prisoners (but that is recognised by the Government), the reformatories and industrial schools, lunatic asylums, county infirmaries, rents of assizes houses, registry expenses of voters, valuation expenses and printing and miscellaneous expenses. Of course it follows that if there is a fair and just arbitration between the parties concerned, whatever expenses, when this division is made, that are to be borne by the city, it will be of course credited with, and I have no doubt that on the other side they will be debited with any loss that may accrue to the county, and we have undertaken the responsibility of two enormous bridges, the Youghal at a cost of £26,000, and the Kinadea which is to cost £19,000, that is, £45,000 for those two works, and we have undertaken these responsibilities with the understanding that we have got this rich portion of our county to bear with us those responsibilities. And are we suddenly to be deprived of it without any compensation? If the city did not think they were gaining they surely would not take it! We only object to it in a financial way, because we think we would be losers by the proposed arrangement, and it is not because other districts have not objected that we have not a full and thorough right to object.

1015. CHAIRMAN.—Wellington-bridge is in the county at present. If that bridge was washed away the county-at-large would have to bear the cost of its re-erection. That bridge is taken in in the proposed boundary, and you get rid of the control of that bridge.

1016. Mr. Morgan.—But that is only one bridge. Recollect the barony of Cork has all the bridges coming into the heart of the city, and not one single ferry to pay for the keeping up of them.

1017. Mr. Leahy.—Another view is this—up to the present we are only included to the extent of the valuable bits; but what do you say to the rest of the unfortunate barony that is deprived of everything? What do you say about the farming classes—about the securities of this barony that is deprived of all its value? How will be their securities for the certain expenses? You leave the security of the land; but what is left of the barony of Cork produces a valuation of £48,000? I doubt it extremely. I doubt whether it will be more than half of that amount. You have no conception of what you are leaving to the barony. If you know Cork and its neighbourhood as well as we do, you know that in taking in down to Glanmaire and Blackrode—you are taking in £17,000 out of £20,000.

1018. CHAIRMAN.—Down as far as Tivoli is in at present.

1019. Mr. Leahy.—When a calculation is made of what the Corporation is to receive, and it is deducted from the present valuation of the barony of Cork, you will find that the barony of Cork is a most pitiable area of taxation as left to the county.

1020. Capt. Sarsfield.—And the same barony of Cork is the most extensive in the county. You are taking away two or three miles of roads, and you are leaving in all the rest of the roads, which are probably among the most expensive in the county—probably double

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Mr. D. F.  
Lesley.

the cost—on account of the immense traffic on them.

1061. Mr. Lesley.—You will remember this—it would almost appear from what we are asking that we are trying to impose the Corporation, but we are not doing anything of the sort. What we are representing here on the part of the Grand Jury, is that the county have a right, at all events, to be compensated in case this valuable property is taken from us.

1062. CHAIRMAN.—If you had not paid that money your case would be a stronger one; but your case is different to others, because you have paid that money.

1063. Capt. Sargfield.—But we are the only town surrounding a city in the same way.

1064. CHAIRMAN.—There are some others, because Limerick is just in the same way, and Galway also.

1065. Mr. Lesley.—I think Limerick is somewhat differently circumstanced; but there is that portion of Limerick extending into the county Clare that is not in the same basis as Cork, and I may tell you that the County Grand Jury would not for one single moment dispute as to come before you for any other purpose than to make a demand that is fair and reasonable.

1066. Capt. Sargfield.—There is the feeling that there will be no barony of Cork at all if this is done. You will leave the most wretched, unmanageable portion of the barony.

1067. CHAIRMAN.—The Corporation are not interested in this one way or another. As you say, your circumstances differ from any barony or county in Ireland, for in Limerick the one these goes into the county of Clare. Since I was here in January last, I saw myself, with regard to some of the towns in Ireland, that it would be absolutely necessary to point the question of taxation as well as of that of the extension of the boundaries; and we therefore applied for, and got, an additional warrant, giving us power to inquire as to the terms on which an extension should be made, and people brought in. I think the County Grand Jury are very peculiarly circumstanced in the case of the barony of Cork, and it might be fair that if the valuable portion of the barony is taken away, it should not be allowed to exist, but that it should be wiped off, and the adjacent parts put into the four baronies.

1068. Captain Sargfield.—If you recommend one we would ask you to recommend that too.

1069. CHAIRMAN.—It may be out of my power to give a recommendation, but I can put this forward—that the County Grand Jury desire that to be done. I can call attention to the anomaly with regard to the barony of Cork, and say that in no other barony or county in Ireland does it exist, and that we suggest that in any future legislation this should be not lost sight of.

1070. Mr. Lesley.—I may mention this, that in 1842 when these liberties were taken from the city and given to the county, and the barony of Cork formed, it was at that time not contemplated by the Grand Jury Act to form a barony at all, that it was not worth while, even with the valuable addition we are losing now, to add it to the baronies surrounding it, but it was the opinion of several, and of Mr. Thomas George Froude, who carried a proposition in the County Grand Jury that the barony of the Liberties of Cork should be formed into the barony of Cork. If you may take it from me that in 1842, it was a matter of considerable consideration with them whether they would have a separate barony for Cork as all or not. Therefore that should be a very strong incentive to the authorities to abolish the barony of Cork when we lose these valuable portions. I think now on the part of the Grand Jury the disposition have said all they wish to say.

1071. Mr. Morgan.—As representing the barony shutting on the barony of Cork I may say that we do not wish to be joined to the barony of Cork.

1072. Captain Sargfield.—As representing every large property in that barony I wish to state that we do wish to be joined. I am one of the majorities in that barony and one of the largest property holders, and I am anxious to be joined.

1073. Mr. Morris.—I wish to say this, that by an agreement lately made between the Poor Law Guardians of Cork and the Corporation, the district of Blackrock is paying by agreement £230 a year for water for twenty-five years, and it would be most maintainable that agreement with the city if this district was brought in, because they will be charged water according to the full rates on the district.

1074. The Town Clerk.—That will not be the case, and besides the citizens of Cork at present pay part of that sum.

1075. CHAIRMAN.—Is the district down towards the Douglas road much built on?

Mr. Morris.—There are nearly as many houses in the Douglas road as upon the Blackrock road—gentlemen's residences.

1076. Mr. S. A. Kirke, County Surveyor.—Then looked over the maps and that of the Commissioners is much more fair and right of the two. This of the Corporation, seems to me most skillfully devised. I do not blame the Corporation for it. It seems to be skillfully devised to carry out their views, to get all the value and to escape as much responsibility as possible. I notice in regard to the roads, that nearly all the heaviest roads are not encompassed upon by the scheme of the Town Council, and a great deal of the traffic is on the outlying roads, and of course if you shut out a great deal of the valuation and leave the heavy roads all upon the barony, you leave a very large burden, and I think that certainly of the two the Commissioners' scheme is far more just and fair. Of course naturally one would expect to find the Commissioners more impartial than an ex parte one.

1077. Mr. G. A. Ward.—I think this barony of Cork is quite an exceptional case as compared with other towns, because about thirty-five years ago an express bargain was made, and a large sum of money paid by the barony of Cork, to be exempted from those city rates and taxation. That took place thirty-five years ago, and since then there have been exchanges of property on the faith of that arrangement; property has been purchased under the Landed Estates Court, and long leases have been granted on the supposition that that arrangement would be permanent. Now, these propositions would be to bring these people back again—these people who have made their purchases on the faith of your leaving them as they are, and of their not being rendered subject to civic taxation, and I think it is very unjust, and in addition to that I think the barony of Cork is a very exceptional case. With respect to some of these lands I know that some of the parties are asking to have their property situated, nor are the Corporation seeking it, and the landowners and occupiers are very much opposed to it; and yet, contrary to the wishes of both parties, it is proposed to unite them together. That I believe is quite an exceptional case. In almost every other instance one or other of the parties are anxious for the amalgamation; but in this case, as I said before, and especially is that the case in reference to the Glasnevin district, both the occupiers of land there and the Corporation are unwilling to have the amalgamation.

1078. CHAIRMAN.—You are in error as to that, because I have the evidence before me.

Mr. Gledhill  
T. Baker.

Mr. GEORGE T. BAKER EXAMINED.

1079. CHAIRMAN.—What are your views on the subject?—By all means let the city be extended in any direction that streets are formed or tenements built, or factories or workshops for trading purposes established. The population thus brought together are

naturally townspeople, and require gas works, water works, flagged footways, sanitary arrangements in good drainage and cleansing, with close police surveillance; but it is contrary to all reason for city corporations or towns commissioners to seek to include

within their municipal boundaries country places or villa residences with twenty, forty, or sixty acres attached to them, in order that they may possess themselves of the rates upon the valuation of such property, when they cannot in return give any proportionate value or advantage. It seems idle to talk of exceptional advantages derived by country places from their contiguity to the town. The advantages are supposed between town and country. What would a town do without the country that surrounds it—how would the inhabitants exist? They are dependent upon the country for their food and nourish, their milk and butter, their own, local, potatoes, and all kinds of vegetables; and besides that they have the power to tax; and actually do put a tax on every head, sheep, or pig that comes into them to be sold. A line must be drawn somewhere between town and country; let, therefore, the town include all ground that has been built upon for shops and dwelling-houses in streets, squares, or terraces; but not more fields which are devoted to pasture or to tillage, and on which no houses are yet built, although they may appear adapted for building ground, but are not yet so used. Even under the existing Poor Law Act there is a limit named during which it is not lawful to class additional rates upon improvements effected on household or landed property, so that it would be doubly unjust to attempt to levy town taxes, as it were, on land that has not yet been built upon. Those dwellings or villa residences which have already been enclosed by streets or terraces being built around them are, of course, exceptional cases; but coming to the immediate case in which I am interested myself, viz.—the proposal to extend the municipal boundary of Cork eastwards beyond the present limit at Silverspringlane. I think the objections I have already indicated to extension are peculiarly strong. In the first place, it is now about forty years since the extensive rural district called, “The Liberties of Cork,” were detached by Act of Parliament from the city, or formed into the one “Borough of Cork,” which wholly encloses the city, instead of attaching as they ought to have done certain portions of those liberties to the adjacent county liberties—namely, the eastern to Barrymore, the western to Buncrana, and the southern to Keshmarrish. By the arrangement, however, which was then adopted, it was evident that the liberty of Cork is situated to become a barren location for the routes of roads, &c., than any other liberty, for there is of course a greater amount of traffic on all the roads in the immediate vicinity of the city than there is on those further off. Thus the liberty of Cork is already heavily taxed for the wants and necessities of the city. But, secondly, and remaining again to the proposed extension of the city beyond Silverspringlane, it is worthy of remark, that during these forty years since the change I have spoken of was effected, not one single house has been built between Silverspringlane and the village of Glanmore—a distance of two miles; and though land has been advertised there for building, not a single offer has been received. All this proves

that the town is not extending in that direction, and therefore it would be a great injustice to extend the city taxation over any portion of that rural and still agricultural district. In the third place any exceptional advantages which we are supposed to derive from our contiguity to the city, are amply compensated for by the exceptional disadvantages we are subjected to, such as the beggars, the thieves, and temptations of all kinds that frequent the neighbourhood of large towns; then the immorality and contagious diseases which prevail in such places, and the number of public-houses with all the injury, such evil influences are apt to occasion in our household establishments, tend to increase the disadvantages to which we are exposed. But when we compare the circumstances of the Glanmore district on the north side of the river, with those of Blackrock on the southern side, we soon see what a difference exists, for at Blackrock we find continuous lines of houses in streets and terraces, extending almost the whole way from the village of Ballintemple to Blackrock Castle, to which for the purpose of the Lighthouse the Gas Company have already laid a main pipe that admits of the residents along the line easily obtaining all the advantages of gas; and besides that in consequence of the impurity of the water in that Limerick district they have already voluntarily taxed themselves in order to obtain a supply of water from the Corporation water-works, whereas, upon the Glanmore side the gas main does not extend beyond the borough boundary at Silverspring, and that district being plentifully supplied with good water, the inhabitants have no need of seeking a supply from the city works. In the fourth place let me say that another proof of the great difference between these two districts may be drawn from the fact that there are now no less than three public-houses between the village of Ballintemple and Blackrock Castle, whereas upon the northern side for a distance of two miles and a half from the factory at the Brickfields, down to the village of Glanmore, there is not one single public-house. Therefore should it be deemed advisable to extend the city boundary on the north side down to Blackrock Castle, it does not at all follow that a similar extension should take place upon the north side beyond the present borough boundary at Silverspring. And lastly, I would say, that we deem it a very strong and conclusive argument in our favour, that the Corporation of Cork is a special meeting called for the purpose of considering the extension of their municipal boundaries, decided that it was not necessary or in any way advisable to extend the borough boundary upon the Lower Glanmore-wood, beyond its present limit at Silverspringlane.

1080. CHAIRMAN.—I understood that what the Corporation now propose is that any district taken in down about Blackrock should be formed into a separate ward, and the other portions should be added to the adjacent ward, and thus to increase the number of wards to eight, and to increase the number of Town Councillors to sixty-four.

Goos.  
Dec. 2, 1875.  
Mr. Gifford  
T. Byles

Mr. W. R. HARRIS, examined.

Mr. W. R.  
Harris.

1081. CHAIRMAN.—What do you wish to state?—In discussing this matter in the Council one of the gentlemen, taking it from a political point of view, thought it would be unwise to dilute the Liberal section by reducing the number of members, and that it would be better to give separate representation to Blackrock in the full number rather than leave the members stand as they are.

1082. Mr. R. Harris.—We do not want any representation in Blackrock.

1083. Mr. W. R. Harris.—But the feeling of the Council evidently was that a lesser number would do, and for political purposes they thought it better to maintain the numbers as they are. It was represented that if the metropolis has sixty-four members in its Town Council, a much less number should do the city of Cork. What the Council thought when deliberating

on this matter was, that they should maintain the number at sixty-four. My own opinion is, and I believe it is the opinion also of the same-spirited members of the Council, that a less number would be a great deal better for business purposes.

1084. CHAIRMAN.—What would you propose to do with the district that would be brought in—the Corporation propose to form Blackrock into a separate ward?—They were going to take one councillor from each ward, and to put them to Blackrock as a separate ward. That would still leave the number of councillors as at present.

1085. No; because their proposal is to increase the number to sixty-four?—No. That was an amendment to increase the number to sixty-four.

1086. It was proposed to form Blackrock into a separate ward, allowing for the representation in the same

Clerk.  
Jas. L. 1898.  
Mr. W. R.  
Harris

way as in the other wards, but it would not do to give say the north-east ward and the west ward, with £12,600 of a valuation for the two (£32,000 the valuation of one, and £30,800 the valuation of the other), it would not be right to let them have a representation of eight, and to give Blackrock the same representation with only a couple of hundred of votes. But I am anxious to see what the Corporation recommend. They do not wish to disturb the existing arrangement in any way whatever, but to add a new ward to the city. They think it would be better to reduce the number in each ward by one.

1087. Would you give that one to Blackrock?—Yes.

1088. Why should you give Blackrock, with a valuation of £7,000, and voters to the extent of, I think, only a couple of hundred, as great a voice in the Town Council as the north-east ward with its £32,000 of a valuation, and nearly 500 burgesses?—The probability is that the Blackrock district will be certain in the course of a little time to have its population and valuation so increased by the advantages of city association, as to equal in population any part of the city. There is an immense amount of building ground, and there is a great want in the neighbourhood of the city of Cork to get building ground, but people won't build unless they get city advantages, and I hope that Blackrock will become a very populous district if it is added to the city.

1089. Mr. Richard Harris.—I differ with you.

1090. Mr. W. C. Connell.—I also differ from you.

1091. Mr. Richard Harris.—We called a meeting of the Blackrock people, and there was not a single man appeared of it.

1092. CHAIRMAN.—You don't consider it an advantage to have eight within a mile of your houses?

1093. Mr. Richard Harris.—We have that at present.

1094. CHAIRMAN.—But you don't pay for it?—We pay 5s. in the £, and we have water and gas under a private arrangement.

1095. CHAIRMAN.—So have people in other towns. The place we object to is three miles from the city. We look upon it that it would be an advantage to people a mile, or a mile and a half, or two miles from the city. I think, if annexed, the Blackrock people would much rather have a ward of their own. I don't think they would want to be added to any ward. Of course, we might have the same representation if we had a ward to ourselves, but if we were put to the south ward we might be swamped.

1096. Alderman Paul.—The Council were unanimous in the division of these wards—that the wards should remain as they are, and that Blackrock, supposed by the Park, should be made as one ward.

1097. CHAIRMAN.—That is to give an additional ward?—Yes.

1098. I don't see why you should propose any increase in the wards—should it be a separate ward?

1099. Mr. Richard Harris.—Could you reduce the number of councillors in each ward, I think that would be better, for it would be an absurdity to increase the number of councillors.

1100. CHAIRMAN.—That is what is asked—to increase the number to sixty-four.

1101. Mr. Richard Harris.—I think that would be absurd. I would rather diminish than increase the number.

1102. CHAIRMAN.—I am not so sure that six wards and forty-eight members would not be more desirable.

1103. Mr. Richard Harris.—It might be better to have the number of wards suggested, but to reduce the number of councillors.

1104. Mr. Connell.—I think if the Blackrock District was brought in, it would be better to make it a separate ward.

1105. Mr. W. R. Harris.—It was for practical reasons thought better to leave the wards as they are.

1106. Mr. Richard Harris.—And would you approve of having an additional ward?

1107. Mr. W. R. Harris.—Yes, I would.

1108. CHAIRMAN.—To give seven to Blackrock, and two aldermen and five councillors to each other ward?

Mr. W. R. Harris.—Yes.

1109. Mr. R. Harris.—I think that would be the best plan.

1110. Alderman Paul.—The Council were unanimous in not disturbing the wards.

1111. CHAIRMAN.—The way to do it would be to reduce the present seven to six and to leave Blackrock one, that would be seven, and then you could have seven towns across—seventy-nine members.

1112. Mr. R. Harris.—That would be only a decrease in the number of wards, but there would be the same number of Councillors.

1113. Mr. O'Keefe.—There seems to be a disposition not to interfere with the present wards for some reason or other.

1114. CHAIRMAN.—Why not take two Town Councillors from the less populous wards and add them to the large one?—That would do very well I think.

1115. You propose to leave seven to each ward, very well. Why not leave six to each of the four smaller wards—six Town Councillors, that would be twenty-four—and give Blackrock eight, that would be thirty-two, and that would leave twenty-four to be divided amongst the north-east, north-west, and the south. Perhaps the less populous ward would be the south centre, and they would consider themselves very badly dealt with if they were reduced, because it contains the education, intelligence, and wealth, and that should be represented, and it would be a very unkind thing to that ward to reduce the number, and for that reason I would strongly object to a reduction of the number in the north-east ward.

1116. Mr. Franklin.—I think as you have the unanimous opinion of the Town Council none of the inhabitants desire any alteration in the wards, or in the arrangement that the Town Council have come to, namely, to have an additional ward constituted out of Blackrock, which evidently will be added to the city, and then that one councillor should be taken from each of the seven wards and added to Blackrock, in order to give the residents of Blackrock an opportunity of being represented in the Town Council, and that they may have some control over the expenditure in their own ward.

1117. Alderman Paul.—They are unanimous on everything except the number of councillors.

1118. CHAIRMAN.—Is that your view, Mr. Franklin, as a burgess?—Yes, that is my view as a burgess. All parties are unanimous as to leaving the present state of the wards unchanged, and they desire that if Blackrock is to be brought in, as it must be, it should be constituted a separate ward, and that one from each of the other wards should be added to Blackrock to give it the proper number of representation.

Mr. H. L.  
Parker.

Mr. W. LUMLEY PERRIER, examined.

1119. CHAIRMAN.—What is your view?—I perfectly agree with Mr. Franklin.

1120. That that would be the best thing to do?—Yes, and it would not reduce the aggregate number of the Town Council.

1121. Mr. Richard Harris.—I fully agree with Mr. Perrier and Mr. Franklin. I think that would be a much better way. I think it would be very foolish to increase the number of the Town Council. The

only way to provide for Blackrock is to take away one from each of the other wards. It would be of advantage if the quorum in the Town Council could be reduced, twenty-six is the usual number of the attendances at meetings of the Council, and the quorum is nineteen, and that number is often difficult to keep. If it were possible to reduce the quorum we contemplate that that would be a great advantage.

(The inquiry then closed.)

## BELFAST—FIRST DAY, AUGUST 5TH, 1879.

Before Messrs. ENNAM, Q.C. (Chairman), COTTON, C.R., and H. A. ROBINSON,

REPORT.  
Aug. 5, 1879.  
Mr. DEAN.

The following counsel, &c., represented the different parties, viz:—

Mr. BROW, instructed by Mr. Black, Town Clerk, appeared on behalf of the Belfast Municipal Council.

Mr. BROW, instructed by Mr. John Dinneen, appeared for opposing ratepayers of the district proposed to be taken in on the county Down side.

Mr. FOLEY, instructed by H. White, appeared for opposing ratepayers living in Upper and Lower Malone.

Mr. FOLLY, Q.C., instructed by Messrs. Thomas Crozier & Sons, for the trustees of the Downside estate.

Mr. R. D. BATES appeared for Sir Thomas McCalm, Bart., M.P., and John Chisholm, Esq., J.P., Stormont Castle.

Mr. R. J. McMonie for the inhabitants of Fort-william.

Mr. H. ORR for the Grand Jury of the county Antrim.

Mr. James Harland for the Grand Jury, county Down.

Mr. John BEE for the Belfast Water Commissioners.

CHAIRMAN having read the warrant,

I, Mr. BROW, stated the case of the Belfast Corporation. It is my duty to put before you the views that occur to the Town Council, and to afford you the fullest information on the subject of the inquiry. They appear before you in order to give you every information, as it is their duty to do, in regard to the various questions of which you have given notice under your Commission. The Corporation, being aware that this inquiry was about to be held, have met in committee and in council on several occasions to discuss what extension of the borough they considered it desirable to ask you to recommend. The extension which they will ask you to sanction will be explained in detail afterwards by Mr. Montgomery and Mr. Black, and it is very clearly shown on the maps which will be submitted for your inspection. The first questions, of which you gave notice that it was your intention to inquire into, were with reference to the several rates, and the various debts, and, in fact, generally the financial condition of the Corporation. That, of course, is a proper subject of inquiry to enable you to come to a conclusion as to how far the Corporation are fit to be entrusted with increased powers of expenditure, and the government of an increased district. The inquiry held within the last few years, of which you, Mr. Chairman, were a member, and the report of which led to the appointment of this Commission, informed us as to the general circumstances of the borough, and the various acts under which the Corporation were empowered to impose taxes as well as the several debts existing at that time. I will, therefore, now refer in a few words only to the various rates which now exist; the extent to which they can be levied, the extent to which they are levied, the amount of the Corporation debt, and I will call your attention to the property of the Corporation, which is available to meet that debt. By the Act of 1840 the Corporation was authorized to levy a borough rate: that is limited to 3d. in the pound. Then there was an Act passed in 1845, which was the first Belfast Improvement Act. That Act was amended by several other Acts, to which it is unnecessary to refer, for you have them in the volume of Statutes which is before you, and they were all referred to in the former Commission. There was an Act of 1853, and an Act of 1854. The Act which the Corporation was authorized to impose

by the Act of 1845 is altered, and, to a certain extent, extended by some subsequent Acts, and it now stands as a police rate—it was so called in the former Commission, and so mentioned in the report. Though it is called a police rate it is really in the nature of a borough rate, for it is not merely for police purposes, but for all town purposes. That police rate the Corporation are entitled to levy to the extent of 3s. 4d. in the pound on buildings over £20 valuation, and to the extent of 1s. 8d. on buildings under that valuation. That police rate can only be levied within what is commonly known as the district lighted and watched. The Corporation by their Act of 1845 were empowered from time to time to declare and direct what portions of the borough should be lighted and watched, and those portions which were lighted and watched came within the area that was subject to the police rate. The borough has from time to time been extended—at least there was a large extension given by the Act of 1853, and for practical purposes I may treat the whole of that extension obtained in 1853 as now lighted and watched. After the passing of that Act of 1853 the Corporation gradually, from time to time, made orders that certain districts should be lighted and watched, and, though the whole of that area is not lighted and watched, I believe almost the whole of it is, but the Corporate maps will show that should you care to obtain the precise amount lighted and watched. This police rate, which is only levied on those districts lighted and watched, as I have stated, authorized at 3s. 4d. in valuations over £20, and 1s. 8d. in valuations under that amount, but the amount assessed has never been at all equal to that. In 1879 the amount levied was only 1s. 10d. on valuations over £20, and 11s. on valuations under £20. There has been generally classed with the borough rate referred to a public parks rate, which the Corporation are authorized to impose under power which was given them by some of these Statutes for the purpose of carrying on public parks, and under which we have two large public parks attached to the town for the recreation of the inhabitants and the public health. The Corporation are authorized to impose a rate of 5d. in the pound on all property within the borough, which would make the borough rate and the public parks rate amount to 6d. In 1879 the amount was only 5d. in the pound. Then there is another rate called the burial rate. I believe the annual burial rate is 1d. in the pound, and it will soon come to exist—it is merely for temporary purposes, and will soon be paid off. Now we come to another rate which was authorized to be levied by certain Statutes passed in 1865 and 1868. In 1865 an Act was passed which authorized the separation from the county Antrim of certain portions of the borough. That was a separation for fiscal purposes. Formerly the Grand Jury once had been levied of these portions of the borough which was naturally found inconvenient. The Corporation thought they were better able to manage their roads than the county, and it was arranged they should be separated, and that the Corporation should stand in the shoes of the Grand Jury, and do their duty, and have powers of taxation, which was substantially to be in place of the county cess. A similar Act was passed in regard to the county Down in 1868, so that the portions of the borough which lie in those two counties of Antrim and Down are separated from these counties for fiscal purposes, and the Corporation, to enable them to perform the duties which were formerly performed by the Grand Juries of Antrim and Down, are authorized to levy a general purposes rate, which by these Acts was fixed at the maximum of 2s. in the pound on all rateable property in the

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borough. An Act was passed last year for the further improvement of the borough, and by it the Corporation were authorized to raise a general purposes rate to the extent of 2s. 6d. in the pound, that was in 1878, so that 2s. 6d. is now the maximum of the general purposes rate, but in 1879 only 2s. was levied. So much for the portion of the borough which is at present lighted and watched.

2. CHAIRMAN.—Is there anything in the Act as to how the debt then existing in the borough is to affect the new districts; are they excluded from any liability to that debt?

Mr. Bruce.—In no extension has there been any extension of any portion of the existing debt.

3. CHAIRMAN.—They are liable now the same as all the rest of the borough?

Mr. Bruce.—Precisely. That was the principle on which Parliament has gone, so far as Belfast has gone, up to the present time. In 1853 very large extensions were made. At that time I believe the corporate debt was large, and it has been largely reduced. How it stood in 1863 I don't exactly know, but there must have been a considerable debt, and any property that was brought into the borough was made liable to that debt, the same as if the parties lived in this street in which we now meet. The districts not lighted and watched are not liable at all to the police rate, and therefore they are liable to the borough rate of 3d.; they are liable to the public parks rate of 3d., making 6d. together, of which only 5d. has been levied. They are liable also to the temporary burial rate of 1d., and they are liable to a certain proportion of the general purposes rate. By the Acts of 1854 and 1868, which authorized the levying of that general purposes rate of 2s., it was enacted that any portion of the borough not lighted and watched should only be rated to the extent of 1s. 6d., and that in any further extension of the general purposes rate the proportion to be borne by the districts not lighted and watched to be in the same proportion; that is, that they should pay three-fourths. The Corporation, under the Act of 1878, are authorized to add 6d., so that the general purposes rate is now extended to 2s. 6d., but the districts not lighted and watched will only be liable to three-fourths of that—that is 1s. 10½d. As a matter of fact, they are only rated, up to the present, at 1s. 6d.; consequently, in districts not lighted and watched, that is the maximum; they can only be liable to 2s. 4½d., while, as a matter of fact, they are only liable to 2s. at the present time. You will see, when I come to deal with some of the objections put forward in public print as to the proposed annexation of some of these districts, that the inhabitants of them think they are at once going to be swamped with a tax of 5s. or 6s., but the result will be rather a diminution of their taxes than any additional burden upon them. That, then, being the income of the Corporation as derived from rates they are authorized to levy, I will call your attention shortly to the amount of debt on the town. By the various Acts passed long ago the Corporation were authorized to borrow very extensively upon the police rate, and the result of their borrowing led to no little litigation at one time. They borrowed on the police rate £319,438 2s. 8d.; of that there has been paid off of late years a very large sum, £188,948 5s. 6d., so that the balance of the debt now due on the police rate only stands at £130,490.

4. CHAIRMAN.—Was that paid off by sinking fund?

Mr. Black (Town Clerk).—Partly by sinking fund and partly by sales of surplus ground.

5. Mr. Bruce.—As against that debt the Corporation possess a great deal of very valuable property. They have acquired the markets, and it will be proved to you that they derive from the markets at least £5,000 a year profit. Four or four and a quarter per cent. is the interest payable on the debt, and substantially the profit on the markets alone, which are part of the property acquired by the borrowing of this large sum, pays the interest on the loan. The loan

will be gradually paid off out of the sinking fund and then ultimately the Corporation, and of course any new districts brought in will benefit by the profit of £120,000 does not cost one single farthing.

6. CHAIRMAN.—Do you put down at one side the interest paid on the money and on the other the profit which is derived from the markets?

Mr. Bruce.—That would be included in the £120,000. £5,000 is taken as the profit on the markets. We would deduct the £120,000, which was partly the purchase money of these markets, with interest, and then we would credit it with the profits on the market; and the practical result is, that taking the amount of profit, after paying the expenses of the markets, the ratepayers have no interest to pay on the £120,000. Besides their markets, the Corporation possess various public buildings. They possess the fine town hall and the various municipal buildings, the courts, the public slaughter houses, and all these buildings which have been erected for the benefit of the town, and there is a considerable extent of land which will ultimately be available for the benefit of the inhabitants of the town. The amount borrowed on the general purposes rate was £37,539, and of this sum £8,588 12s. 11d. has been paid off, leaving a balance due of £28,950 7s. 1d.

7. CHAIRMAN.—Suppose there was nothing in the nature of surplus ground, is there a sinking fund for the payment of that £37,000?

Mr. Black.—There is. It would take about twenty years for the sinking fund to clear off the debt.

8. Mr. Bruce.—This £37,000 which was borrowed upon the general purposes rate extends entirely of three classes of expenditure. Under the Act of 1866 the Corporation were authorized to extensively sewer the town, and they were authorized to form what they called main drainage districts, which were drained and sewered by very large arterial drains. It was not of course fair to cast on the owners of these various districts all the cost of these drains, for it would be very unfair that the man through whose street a drain ran that drained a large district beyond that street should pay the entire of it, and particularly afterwards of the statutes had decided that one third might come out of the general rates, another third to be paid by the inhabitants of the district through which each drain passed, and the other third to be raised by what is called a special district sewer rate which was charged upon the drainage district, that is to say, the Corporation would declare or order that a certain district described should form a drainage district, and by their order they would direct drains to be made through that district. There was an estimate of the cost of these drains, and that cost was generally borne, but it was not compulsory, as follows:—The Corporation charged one third on the general rates of the town, another third on the inhabitants of the district, and another third to be paid by owners of the property in each street through which these drains passed. Of course there was an estimate to fix the amount each party should pay. They were also authorized to borrow at the general purposes rate a certain sum for permanent paving, and under the Act of 1878 they were authorized to borrow large sums for the purpose of what were called new street improvements which are contemplated, and for which a small sum of about £5,000 has been raised, but at any rate the amount due with what is borrowed on the general purposes rates amounts to £28,950 7s. 1d. On the borough rate there has been borrowed £2,000, which has been expended on baths and wash-houses, and as against that the Corporation possess the baths and wash-houses. Then on the public parks rate for the purpose of acquiring parks they borrowed £4,050, and of that £300 has been paid off by a sinking fund, so that £3,750 remains due. We will have an accurate statement prepared to show how soon that debt will be reduced to nothing. Under the Act which enables the Corporation to purchase

the authority they were authorized to levy a burial rate of 1d., and upon that rate they were authorized to borrow, and did borrow £25,000, and that £25,000, I am happy to tell you, has been largely reduced, for £20,400 has been paid off already, leaving only £4,600 to be paid, and Mr. Black tells me there is £1,000 in hand to meet that. When that loan is paid off the burial rate will cease. 1866 was the date of that Act: the borrowing of the money must have been a year or two later, so that substantially £20,000 has been paid off by that burial rate within the last eleven or twelve years, and we may assume that within the next three years that rate will be swept away altogether.

5. CHAIRMAN.—Then you will have a surplus in hand every year if you go on in the same way?

Mr. Brown.—I am informed that the revenue from the cemetery amounts to £200 a year now, so that we will not require a burial rate after this year, and they will pay all the balance out of the £200 a year. With reference to gas, the Corporation have also a debt, but it stands on a totally different footing from their other debts. By a recent Act they were authorized to purchase the Belfast Gas Company's works, and they did so. The price of gas in the town was then 4s. 6d. per 1,000 cubic feet, besides meter rents; the Corporation have lowered the price to 3s. 3d., and from the first July last it is to be lowered to 3s. 6d., and there are no meter rents. The Corporation are making a profit after paying all expenses. I don't mean interest and capital, but a profit of £27,000 a year, which is of course for the benefit of the town. As against this profit of £27,000 they have to pay a sinking fund, on the amount of money they were authorized to borrow on the security of the rates for the purpose of purchasing this vast property from the Gas Company, and the amount paid was £470,308 14s. 11d.; of that there has been paid off £10,150, leaving a sum due of £460,158 14s. 11d. That is borrowed at 4½, and 4½ per cent, and after paying the interest on the money, taken at the average of 4½ per cent., it can't be £20,000 a year. They have that profit of £27,000.

10. CHAIRMAN.—What is the sinking fund annually?

Mr. Black.—One per cent. accumulation.

11. Mr. Brown.—Mr. Black says that last year after paying interest and sinking fund, we had nearly a profit of £27,000?

Mr. Black.—No; £22,000, after paying interest and sinking fund, but excluding the sinking fund it was £27,000.

12. Mr. Brown.—The Corporation have some additional borrowing powers. I believe they may borrow on the borough fund, to build baths and wash houses, but the only amount they have borrowed for that purpose is £2,000. They are also authorized to borrow under the Artisans Dwellings Act, £12,000, but of course I need hardly tell you they don't expect to have anything to pay on that account, for they intend to make the Artisans Dwellings Act a paying concern. They are authorized under the Act of 1875 to borrow the very large sum of £350,000 for street improvements, and the Blackstaff improvements. It is for the purpose of enabling them to carry out very large improvements all this power has been asked, but all the money has not been borrowed. They expect to have the loan repaid in a few years by selling land, and letting it. That completes the whole statement with regard to the debts of the Corporation.

13. CHAIRMAN.—Is that £350,000 for any system of main drainage?

Mr. Black.—No, except the improvement of the Blackstaff.

14. Mr. Brown.—It is in contemplation to make a street from York-street, close by to the Ulster Club, and open up Hercules-street.

15. CHAIRMAN.—Those are all specified in the Act?

Mr. Brown.—Yes, this shows you the complete financial state of the borough.

16. CHAIRMAN.—There is another very important

thing that the outsiders have to consider, and that is the question of main drainage.

17. Mr. Brown.—Of course in any system of main drainage any portion brought in would participate—they would be brought in connexion with the main drains, and that is a sort of thing which every one in the borough will have to contribute towards, for drainage is just as necessary for persons at the extremity of the borough as those in the centre of it, and it is as essential that they should be properly drained.

18. CHAIRMAN.—But what may be said by these people is, "we can discharge our sewage well enough from our own district, and we don't care what you do with it afterwards. We don't want to pay for draining the lower portion of Belfast."

19. Mr. Brown.—You will have a table before you showing the increase in the population, and the increase in the rateable value of property. Suffice it for me to say that in 1851 the value of rateable property was £182,844, which has progressively increased from that year up to the year 1870, when the actual value of the rateable property is £555,194 10s., and it will be proved that though that general valuation, under the assessment valuation of 1866, very far from actually represents the value of the property of the town, yet the Corporation have made several unsuccessful attempts to get a fresh valuation. There is no means of getting a general valuation unless some Act of Parliament is carried through, and I believe in the valuation office they are very anxious to have such an Act passed; and unless the Grand Jurors of Antrim and Down agree with the Corporation in having that done, there will become difficult. Up to this these bodies have not done that, and the Corporation have not been able to effect a revolution of the property. They believe, from information they have received, that if the property was revalued the rateable property would, at the least, amount to £750,000, and if that was carried out it would very much reduce the amount of rating. That being the position of the borough, in view of your coming, the Corporation have not to consult, and a committee has considered this subject. They propose as a fit and proper area to be included in the township these two portions of the county Antrim, Nos. 1 on the map, which you see surrounded by the green line, and the portions of the county Down, which are shown upon the other map, No. 2. I need hardly tell you that in a town like Belfast, which is one of the most rapidly increasing towns, there is going on a very great deal of building in very close proximity to the borough boundary. People naturally wish to get out of town, and the facilities of tramways, and all these new modes of locomotion help one to get rapidly out into the country, and it is pleasant to live in the country than in town, and it is pleasant if you have business in the town to avoid town taxation by living outside it. This result is found all over the country. You found it existing very largely in Dublin during your inquiry there—people living just outside the boundary, and in the suburbs, where they enjoy all the benefits of the town, and its shops. They have all the accommodation and all the luxuries afforded by a large town, and, at the same time, the benefit of living in the country and paying nothing towards the town. One of the objects of your Commission, as I understand, is to see how far it is desirable, having regard to all the circumstances of each particular case, to extend the borough boundary, so as to bring within the borough such portions of the adjoining districts as you think may fairly be considered as forming part of the town—districts being progressively built upon, and, to a large extent, occupied by townsmen—people connected with the town—benefiting by it, and deriving all their benefits and comforts from it. These districts divide themselves into three. There is one called the Malone district, to the north, another the Sydenham and Knock district, on the county Down side, and the third is Fortwilliam-park, on the north side. With

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regard to some of these districts I see learned friends here representing some of the inhabitants of these places—I don't know how many—and they appear here to oppose that extension. The Corporation think the extension is desirable, and, with regard to the gentlemen for whom Mr. Ross appears, the gentlemen on the county Down side, they will have some difficulty in getting their own before you in a manner which will gain your approval of it, because these Sydenham gentlemen stand in this peculiar position—Within the last five years they felt so strongly the necessity for some form of government, and the importance of having their district lighted and watched, and so on, that they actually petitioned the Local Government Board to form them into a township. That, judging by their own act, is the strongest possible ground to lead to the conclusion that they were not satisfied to remain as they were. Sydenham is the large portion within the green line; the other little portions is Lord Downshire's property. These gentlemen at Sydenham describe themselves as a large, flourishing, suburban place, with streets, and I think they said they had squares, and they so moved the Local Government Board that they were formed into a township; but some of the people did not like to be in a township, and they went to law about it, and the Queen's Bench held that the order was not one the Local Government Board was authorised to make under the Towns Improvement Act; and now the people are in the position they so much deplored before—without government, without anything they said they required so much. Under the Act of 1854 there must be a town existing containing a certain number of houses and inhabitants; but the Queen's Bench held there was not actually a town there at all. The Act of 1878 was dealt with at a meeting of these gentlemen who proposed to form themselves into a township, and it is as well I should refer to it. They say in this meeting, substantially they object to come within the clutches of the Town Council. They use some rather hard language. They call it an audacious attempt on the part of the Corporation of Belfast, and said they might be liable to large taxes, and that though they admit they could not, under the Towns Improvement Act of 1854, get what they wanted, they could get it under the Public Health Act of 1878. The Public Health Act, section 12, contains a power which doesn't appear to me to apply very much to a case of this kind. That section authorises the Local Government Board, on the application of the sanitary authority of any district, or any such authority, after due inquiry, whether it would be for the advantage of any such sanitary district, or any part thereof, to order that districts should be formed into a united district for the purpose of procuring a common supply of water, for making main sewers, or for carrying into effect any system of sewerage, or for any other purposes of the Act. It says that the governing body of such a district shall be a joint body, consisting of ex-officio and elective members, and by section 14 the Act says that on the constitution of the joint Board, the sanitary authority having jurisdiction in the component districts, shall cease to exercise any powers, or be subject to any liabilities or obligations which the joint Board is authorised to perform; but the Act doesn't substitute for the sanitary authority (which is the Board of Guardians in this case) this joint Board; it merely says that certain districts, if the sanitary authority think fit to ask, and the Local Government Board think fit to grant, may be formed into one district for certain purposes; notably for the purpose of water and sewerage; and I think the plain intention is, that where there are several districts which can be conveniently united for certain specific purposes, such as some large scheme of drainage or watering, certain specific powers may be given to the joint Board, but not as all with the intention of substituting that joint Board for the general sanitary authority, for which they are not substituted in the Act. There are two remarks to be made on the Act.—In the first place these gentlemen will have to get the Poor Law Guar-

dians to move in the matter, they can't move themselves; and in the second place they have to satisfy the Local Government Board that it is a fit case to transfer to this joint Board all the authority and power of the Poor Law Guardians for sanitary purposes, and if they get over those two great difficulties, what will be the result? Won't it be what I think the report of the parliamentary committee shows is as clearly as possible contrary to the views of the legislature at the present time—the formation of an independent township in the immediate vicinity, not three miles, but within 300 yards of the borough of Belfast? Therefore when these gentlemen say we can get all we want, practically, by the formation of a township, I say I don't think they can within the meaning of the Act, and if they could, the power would never be given, because it is quite contrary to the entire current and spirit of legislation at the present day. I think there is nothing more unsatisfactory than divided authority in these matters. The state of London at present should satisfy every one of the inconvenience of not having one great central authority for sanitary matters; it is working a great evil. That would be the result of the formation of this township. They admit they want watching, lighting, and sewerage, and they admit it is a good thing to have power over the erection of buildings. They say they can get these in the way they propose, but I think you will agree with me they never can. It doesn't at all follow that the Guardians will be anxious to move in this matter.

20. CHAIRMAN.—I don't very much whether the Guardians can give them sewerage, except as far as it is sanitary cleansing. They can't give sewerage in the way of sweeping and keeping the streets.

21. Mr. BEAN.—No; but it is not always easy to get Boards of Guardians to move, although I don't very much whether Boards of Guardians are the most desirable authority to have charge of these matters. A resolution was moved, I see, in the meeting of the Board of Guardians on the 22nd July, and appeared in the *Northern Whig* of the 23rd July, for the appointment of a committee to see how far they could assist these gentlemen; but the Board rejected that by a large majority. Some of the members thought it would be better to leave well enough alone, and to let matters remain as they were. The Sydenham opposition was frankly admitted by these gentlemen to be an interested opposition. Mr. Boyd, who moved one of the resolutions, is before you; he took an active part in this opposition, and he is actually the owner of property which lies along the borough boundary. I believe the property was transferred to a building company, of which he is one of the directors, and actually along the limits of the borough of Belfast there are laid out streets of houses by this building company, of which he is a director, and these have been laid out without the slightest regulation by any person whatever. There are no sewage arrangements; the sewage all runs into some great big tank, and this, which constitutes some portion of the borough of Belfast, for it is a series of streets, is the property in respect of which Mr. Boyd is interested, and it is on his part principally this opposition has been got up. Let us just consider what this opposition is: they say we are liable to be heavily taxed, and with regard to what you there set us to a differential rate, you will consider not unworthy of attention the fact that there exists at present in Belfast the most perfect differential rate that could possibly be conceived, because, although there is no fixed line of differential rating, the districts which are not lighted and watched are free from the main portion of the taxes of the borough; they are free from the police rate; they are only liable to three-fourths of the general purposes rate, and only a small portion of the poor's rate; and until those inhabitants, who are brought within the borough, are lighted and watched, all they can be liable to is 2s. 4½d., and the whole amount to which they would in all probability for some time be liable



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to (for I don't know that it is intended to increase the general purposes rate), if they were brought in tomorrow, would be 2s. What is the amount of grand jury case they pay at present? The average of the grand jury case is 2s. 3d. in Antrim, and the average in Down is about 2s. Taking the payments from 1873 to 1879 on the county Antrim side, the average is 2s. 3d. I have only before me the average on the county Down side from 1873 to 1878, and the county case there is 1s. 10d., so that until these districts are brought within the portions that are lighted and watched there will be no additional taxation, while the advantages to be derived would be great. There would be a central authority. Your former investigation into the town sections have convinced you that large powers are vested in the Corporation, which have been usefully exercised in remedying the improper building of houses, and for the purpose of public health by having the dwellings erected under a wise central authority. The houses are running up in every direction, and it is wise that gentlemen like Mr. Boyd may build streets which sooner or later must come within the borough, and that the Corporation must then take under control a number of houses which have been erected with possibly imperfect sewerage arrangements, or at any rate with sewerage arrangements not according to the regular plans in force in the borough? The result would be that everything should be done over again at considerable expense, or things must remain in an unsatisfactory state.

22. CHAIRMAN.—You would have to add that these people pay for sanitary rates to the existing county rate. Still, it would make very little difference whether they are brought in or not, and the only question would be whether their roads would be better kept by the Grand Jury or the Corporation.

23. Mr. Bruce.—Their roads would be kept, and these would be the control and this elastic power which would comprise new divisions, and light any new districts which would then be *de facto* new streets of the town.

24. CHAIRMAN.—At present the tenants deduct one-half of the rates from the landlord where they are under a rural sanitary authority, but if they are under an urban sanitary authority the tenant pays the whole.

25. Mr. Bruce.—I apprehend they will receive benefits from being brought in which would counterbalance that. Outside the borough boundary the Water Commissioners charge a special rate, which is practically 2d. in the pound more. In the Water Act of last session the borough of Belfast is interpreted to mean the entire borough. The municipal district is extended and defined by the Belfast Borough Extension Act, and any extension of the borough which may be sanctioned by Parliament. The Commissioners are to supply the persons within the borough, and they may make contracts with any board of guardians, or other persons beyond the limits of the borough, provided always that no agreement shall be made which will prejudice the supply to be afforded within the borough, or for the use of the shipping in the harbour.

26. CHAIRMAN.—Under that Act they may charge outsiders more than those living in the town.

27. Mr. Bruce.—Yes; the outsiders are charged more, and if brought within the borough they will not be subject to higher taxation until they come within the district properly lighted and watched. Therefore, you have existing the fullest and most perfect differential rate, and you will bring these people in substantially, charging them with no debt.

28. CHAIRMAN.—Do the Corporation propose to bring them within the lighting and watching powers at once, if they are very populous districts?

Mr. Bruce.—They are prepared to bring in large portions of these districts, but not the whole of them, for there is portion unbuilt upon. I say, substantially, there is no debt to impose upon them; for, practically speaking, the resources from the gasworks

and the markets more than pay the interest on the entire debt of the Corporation, consequently there will not be a single penny of tax to meet past expenditure; but even so, if they are to benefit by past improvements, a little *ex post facto* legislation would not do them much harm. There was an argument used at some of these meetings which had an apparently plausible appearance. It was said, "Oh, the Corporation, as soon as this extension is passed, will have power to bring in these districts, and subject us to this 2s. 3d. rate." I don't think it is likely the Corporation would find it would pay to do that. In the Belfast Corporation Act there is an appeal to the Court of Quarter Sessions against every order of that kind, consequently any order made by the Corporation for the purpose of bringing any district in is at once subject to appeal, and the magistrates adjudicate upon the case; and if it appears that the Corporation are trying to bring in a district for the purpose of taxing it, when it should not be brought in, the order will be quashed. The only other question is as to the wards of the town. It is proposed to re-arrange these. You have before you a statement showing the several wards. It is proposed by the Corporation to increase the number of representatives on the Town Council to forty-eight. There are five wards:—The Dock, Anne's, Southfield, St. George's, and Croom's. The number of voters in each is as follows:—Dock, 1,005; St. Anne's, 1,330; Southfield, 655; George's, 1,041; and Croom's, 1,701. Croom's includes Ballymacreagh in the county Down, and it is proposed to cut off that part of Croom's which is in the county Down, and to form a new ward, made up of Sydenham and Ballymacreagh. The Corporation think it desirable to make as little alteration in the existing lines of the wards as they can, but it is obvious Southfield is too small. They propose to add to George's Ward the Malone take, and to take off George's Ward a certain strip which will be more particularly pointed out by Mr. Black, and to bring Southfield Ward up to about 1,100 voters. These are the only observations I think it necessary to make on behalf of the Corporation.

29. CHAIRMAN.—What do you propose to do with the portion of Croom's Ward on the county Antrim side?

Mr. Black.—Make it a separate ward by itself.

30. CHAIRMAN.—The area at present is 936 acres, and the valuation £27,000, and it would certainly come near the other wards. What do you propose to do with the Fortwilliam district?

Mr. Black.—Add it to the adjoining wards—namely, to the Dock Ward and St. Anne's.

31. Mr. John Ross.—There are fifteen Water Commissioners and fifteen Harbour Commissioners, and it would be very convenient if these wards were to be subdivided that each ward would return one Water Commissioner and one Harbour Commissioner. The Town Council propose to increase the number of the Council to forty-eight, but we were of opinion it would be better to increase the number to forty-five, and to have fifteen wards, with three representatives from each. If these gentlemen outside were offered self-government, and if the Corporation were to reconsider the question, and to have another large ward, it might abate a great deal of the opposition to the extension. I have a great deal of experience of contests for municipal, poor law, and water representatives, and I have always found that the parties who had large interests to secure by getting into any of the boards, would pay from £25 to perhaps £100 to secure a seat for a large ward; and once they get a seat, they are pretty sure to be returned again, provided they fill in with the majority of the body. The reason of that is that parties who have no real interest in view would not spend more than £15 in sending out circulars and so, while others would be prepared to pay a larger sum. This expense arises from the wards being too large. The fifteen wards we propose could have 400 voters each, for there were

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5,741 burgesses on the roll, and 400 voters would be quite enough for any gentleman to represent who give his services gratuitously to the town. If Mr. Black would reconcile himself to this theory of small wards, I think the dissimulation as to the Town Council would be almost abated. It is almost impossible for

any man to get into the Harbour Board unless he is prepared to pay £200, and that is not as it should be.

32. CHAIRMAN.—What interest have the Water Commissioners in the question of the wards?—We have the same interest as the Town Council, for the Water Commissioners are elected Guardians.

MR. B. BLACK.

MR. SAMUEL BLACK, examined.

33. CHAIRMAN.—You are Town Clerk of Belfast?—I am.

34. What is the present town of the borough?—4,805 acres.

35. That includes the tithe way?—Yes, 814 acres of tithe way.

36. The population is 210,000?—Yes.

37. That was in 1871, and that is an increasing population?—It is. We believe it to be at least 250,000 now, if not more.

38. What is the valuation?—£555,194 10s. is the valuation of the borough. Of that £265,194 10s., £545,578 5s. is the valuation of buildings, and £5,815 5s. is the valuation of land. (See Appendix No. 1.)

39. It is divided into five wards at present?—Yes, St. Anne's, George's, Dock, Cressna, and Smithfield.

40. There are eight representatives from each ward?—Yes, six Town Councillors and two Aldermen from each ward, making forty altogether.

41. Can you give me the number of burgesses, and the valuation of each ward separately?—Yes; St. Anne's Ward has 1,350 burgesses, and the valuation is £115,723 5s.; Cressna Ward has 1,701 burgesses, and the valuation is £97,032 5s. on the Antrim side of the river, and £45,627 10s. on the Down side of the river; Dock Ward has 1,005 burgesses, and a valuation of £106,670 10s.; George's Ward has 1,041 burgesses, and a valuation of £118,107 10s.; Smithfield Ward has 964 burgesses, and a valuation of £78,013 10s.

42. The present boundary was fixed by the Municipal Corporations Act?—No; it was fixed by a later Act, the Act of 1853, the 16th & 17th Vic., cap. 114.

43. Had the boundaries been smaller before that Act?—Yes; under the Municipal Corporations Act the boundaries were smaller, and they were extended by the Act of 1853.

44. And they have remained stationary since?—Yes.

45. When were the wards fixed?—They were originally fixed by the Act of 1840, and then by the Act of 1853 they were rearranged.

46. How were they rearranged?—was the rearrangement specified in the Act, or was there any subsequent proceeding?—They were specified in the Act, and there was previously an inquiry something similar to the present inquiry.

47. Did that precede the Act?—It did.

48. Since 1853 matters have remained stationary?—Yes.

49. The Corporation as a body have considered the question of extension?—They have.

50. Have they arrived at an unanimous opinion upon it?—They have not arrived at an unanimous opinion, but they have arrived at an opinion by a majority.

51. Can you tell me what was the extension in 1853?—was it all round the borough, or was it confined to a particular direction?—It was principally on the Antrim or northern side.

52. Has there been any resolution passed by the Corporation?—There has, the queries submitted by the Commissioners were referred by the Council to two of the committees of the Council, a joint committee of the Law and Improvement Committees; they fully considered the matter and reported to the Council that certain extensions which were defined upon the plans were desirable, and the Council approved of that report.

53. Can you tell me the numbers of the Corporation

present at that meeting when the report was considered?—The actual adoption of the report was carried by fifteen to five.

54. Mr. Wair.—How many did not vote?—Two, I think.

55. CHAIRMAN.—On the map before us does the red line represent the existing boundary under the Act of 1853?—It does, on the County Antrim side of the river, and the green line is the additions proposed on behalf of the Corporation. Another map shows the County Down side. The red line on it represents the present boundary, and the green line is the extension on that side.

56. Can you tell me how many burgesses would be brought in by your proposed extension?—No; we have not made any calculation as to the number.

57. Can you say to what extent about, the burgess roll would be increased; would there be 1,000 voters or more brought in?—We have no materials to enable us to arrive at that data. We have not computed the numbers.

58. On what ground is it the Corporation suggest that the portions they propose should be included?—That they are substantially at present portions of the borough, and should be subject to the same laws as govern the borough.

59. Is the portion you propose to add, land extensively built upon?—It is. Of course there are certain districts included in the green lines that are not built upon, but, taking the districts on the whole, they are in each case substantially built upon, and likely to be built upon.

60. Is building extending in the districts within the green lines?—It is, very largely.

61. So that, although portion of it is agricultural at present, it is likely to be built upon?—Yes; with the exception of portions to the south, which is known as the Bog Meadows, which is not likely to be built upon for some time; but it was not considered desirable to make so crooked a line as would exclude it. We endeavoured to make the line as straight as we could, but it would be a line out and in if we simply adhered to the buildings.

62. How many electoral divisions is the present borough in?—Either eight or nine.

63. Mr. Robinson.—You have given us five only in your return?—I was under the impression there were more.

64. You say the town is included in five electoral divisions, but that the proposed extension would run into two more?—Belfast, Greenisland, Ballygowan, Ballymurphy, and Ballymacarrett are the electoral divisions at present, and the others we propose to take in are Ballybrannigan and Castlethorn.

65. Do you propose to take in the whole of those two divisions?—No; the extension would leave a very large portion of them outside.

66. Are the wards controversial for poor law and municipal purposes?—They are not; the town wards are, but I understand Ballymacarrett is not.

67. At the Antrim side of the river they are the same?—Yes.

68. CHAIRMAN.—We may take it now that what the Corporation propose as to the wards, is to divide Cressna, and to cut off the portion of Cressna in the county Down into a separate ward, and with the said portion that the rest of Cressna shall stand as a separate ward, that portion shall be taken off George's ward and added to Smithfield, three making six wards,

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and increasing the number of Town Councillors to forty-eight!—Precisely.

69. With regard to the northern portion of the Austin side, you propose to put that into the Dock ward?—Yes.

70. St. George's ward has 1,641 voters at present; how many do you propose to take away from that, and add to Southfield?—About 400.

71. If that be so, what do you propose to add to George's?—A very considerable area situated to the south.

72. You propose to add the Malone portion to George's, and to take away about 400 voters from George's ward to be added to Southfield, which would make Southfield 1,641, and the portion you bring into George's ward would bring it up to the fair average?—Yes.

73. Mr. Bruce.—Can you come to be prepared a table showing the amount of taxation, and the class of property it is levied off in each ward?—I have done so. (See Appendix No. 1.)

74. CHAIRMAN.—You heard Mr. Bruce's statement about these different rates; do you coincide with it?—Without following every word he said, he was, generally speaking, as to figures substantially correct.

75. They are all set forth in the return?—Yes.

76. Mr. Bruce.—Have you also prepared a table showing the various debts and charges on the rates, and the amount paid off?—I have. (See Appendix No. 3.)

77. Mr. Bruce.—The only thing I did not state is that this table includes certain charges—money borrowed upon district drainage—which do not enter very much into the present inquiry, for they are nearly charged on drainage districts.

78. CHAIRMAN.—They can't be charged on any new portion?—

79. Mr. Bruce.—No; but they are included in the return, and bring out the sum of debtedness as more than it really is, for those charges only interest those immediate districts.

80. Mr. Corcoran.—Do you say one-third of the sewer rate was on the whole town?—No; but one-third of the original cost of the sewer is charged on the general purposes rate.

81. CHAIRMAN.—What is the annual sinking fund for payment of the cost of the Gas Works?—One percent. accumulative. Every year it increases we are at liberty to pay off our own mortgages with our sinking fund; whenever saving we effect in that way, we add it to the sinking fund for the following year—the consequence is that we pay no more as a total on principal and interest, but every year a larger proportion goes to the sinking fund.

82. Then you state that your profit is almost £21,000 from the Gas Works?—Yes; during the past year it was upwards of £19,000 after paying the sinking fund.

83. You supply gas outside the borough boundary?—We have resolved not to extend the mains outside the present district, except where the owners of property will pay half the cost of laying the mains; in several cases they have paid half the cost—in the Sydenham district and others—for the purpose of getting the light.

84. Then, at present, the Sydenham district has light supplied by you to the portions proposed to be brought in?—No; only portions of the district.

85. Are the mains laid through the Fortwilliam district?—Yes; there is gas there.

86. Are there mains laid in the Malone district?—Portion of the way there are mains laid, and the owners of property have paid half the cost of laying them.

87. And the same applies to Sydenham?—Yes.

88. Suppose they were brought in, and were formed into a lighted district, do the Corporation propose to give back to the owners of property the moiety they have paid for the mains?—I apprehend there would be no objection to do so, but the point has never been considered by the Corporation.

89. It would only be in fairness that they should get it back?—I think it would be a fair principle to adopt.

90. Are you aware yourself whether the ratepayers in Belfast, as a rule, are in favour of the extension of the boundary?—I believe that the large majority of the ratepayers are in favour of extension; a very large majority.

91. Of course there are people opposed to it?—Very few, I think, within the borough, comparatively; but when you come to the outer districts, I am quite willing to admit that on the general principle of unwillingness to be liable to taxation they do object.

92. From what you have heard from outsiders, is it on the ground of their apprehension of being made liable to heavier taxation that they oppose extension of the borough?—So far as I know it is principally on that ground.

93. Some of them perhaps have no confidence in the Corporation?—It is very hard to please all parties.

94. As I understand, the proposal of the Corporation with regard to the outlying districts is to bring them in on the same terms as any portion of similarly circumstanced land within the borough at present; that is, liable to the same debt, the same incidence of taxation, and so on?—Precisely.

95. Have there been in the Malone, the Fortwilliam, or the Ballymacarrett districts any extensive drainage works which they have paid for themselves?—No, I think not, so far as I know.

96. Mr. Bruce.—Was an application made not long ago on behalf of the people living beyond Fortwilliam Park to have their sewers connected with your sewers?—Yes, there was an application from a number of inhabitants of the northern portion of the district to be allowed to drain into the town sewers. It came before the Improvement committee, and the motion was considered both by the borough surveyor and myself. Mr. Montgomery had an interview with Mr. Young, the architect, who represented the parties, and is also an owner of property in the district, and certain terms were suggested, upon which they might be permitted to use our sewers, but the parties outside dropped that, and they have not adopted that course.

97. CHAIRMAN.—Where do they drain into now?—I am afraid they have virtually no drainage.

98. What is the taxation on houses over £30?—On houses over £30 the police rate is 1s. 10d. in the pound, the general purposes rate is 2s., the borough rate 5d. in the pound, which includes 5d. for parks, the burial rate 1d. in the pound (but we hope the present will be the last year we will have to strike a burial rate).

99. Then the rates in round numbers amount to about 4s. 1?—No; only 4s. 4d.

100. Houses under £30 valuation would be half that amount?—No, not exactly; they would be 11d. less, and those under £3 valuation would be entitled to 25 per cent. deduction additional.

101. Mr. Corcoran.—Why is it 11d. less?—Only half the police rate; it is double the poundage rate on houses over £30 valuation to what it is on houses under £30. That brings down the tax to about 2s. 11d. for police and general purposes rates on houses under £30 valuation.

102. CHAIRMAN.—Before we can estimate the difference in the rates, we should know what the county cess and the sanitary rates are!—On an average the county cess is 2s. 3d. on the county Austin side and 2s. on the county Down side. Mr. Orr challenges the accuracy of the average of 2s. 3d., but I have the official return from the High Constable, and it shows an average of 2s. 3d. in the pound.

103. Taking it at 2s. 3d., and adding their sanitary rate, the difference between that and 4s. would be the only increase?—Yes, and that is only applicable to the lighted and watched district, and for that they would get the advantage of watching and lighting.

104. Can you yourself say that the valuation of the borough is unsatisfactory, and that there would be a new valuation required?—I am not so with perfect confidence. I am aware of one instance which came within my knowledge, in which, within the last forty-

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might one place has been valued since 1860 at, and paid rates on, £38 valuation, for which £130 has been offered in fee-farm.

105. And you estimate that the increase in the valuation would be at least from £350,000 to £750,000 or £800,000?—Yes.

106. I presume that in Sydenham or any of the districts which have been built upon within recent years there would be little higher valuation, for they are new buildings?—Yes; new buildings are now valued at their increased or present value, while old buildings remain at their old value, which is a lower value.

107. Mr. BAKER.—You have given in a list showing the amount due by the town; can you give as a return of the property the town possesses as against debt?—The markets may be taken as producing a net revenue of £5,050 a year; the slaughter-houses, the baths and wash-houses, the municipal buildings, including the different courts, and a very large extent of most valuable ground, part of which is now used as markets, and portions have been kept over for extensions of markets at future dates; that land will realize a very large sum at a future day.

108. CHAIRMAN.—Is there any ground except what you have kept over for markets?—No, it is kept for markets and other improvements. The property of the Corporation far exceeds any liability they have on foot of loans.

109. Mr. BAKER.—Is there any land in the parks which remains for building ground and for sale?—Yes; in Crown Park 172 acres were taken at a rent of £10 an acre. We have laid out portion of that ground for building purposes, and, in point of fact, 72 acres will be available for building purposes under the Public Parks Act Amendment Act.

110. Some portions have been already taken?—Yes, some small portion produces about £50 a year.

111. When these 70 acres are let at the price you may anticipate, how will the parks account stand?—I think these 70 acres will produce as much as will pay the entire rent of the park. In the meantime, however, there is an expenditure out of the rates for keeping up the parks, estimated at any 2d. in the pound.

112. That is included in the rate of 5d. you have mentioned?—Yes, out of the gas profits last year £1,000 was paid over to the parks committee to be expended in public improvements in the parks.

113. CHAIRMAN.—These parks are open to the Ballymacnab district, and, in fact, the whole of the people?—Yes.

114. Mr. BAKER.—What is the result of the cemetery?—A net revenue of about £500 a year.

115. CHAIRMAN.—What has become of the part disputed?—It is lying unused still. There was another portion of the adjoining ground in dispute, but the Corporation entered into an arrangement with Bishop Dornier and others, and the property has been sold to them for £1,000, but half the cemetery is lying virtually unoccupied.

116. No money has yet been raised under the Act of last year?—Yes, about £4,750.

117. Was that for the baths and wash houses?—No, for new street improvements, and the cost of the Act, and so on.

118. In view of this Commission, have the Town Council considered the question whether extension would be desirable for them?—They have. When the queries came down they were brought before the Council, and referred by them to the Law and Improvement Committee. I have the minutes of the committee here.

119. Mr. WEIR asked that they should be read. Witness reads minutes of Council and of Law and Improvement Committee:—

"Meeting of Law and Improvement Committee, 12th January, 1929. Present:—The Mayor, Alderman Sir John Savage Johnston, Councillors Corbett, Dixon, T. H. Browne, Saffern, Harvey, Henry, R. Thompson, Jenkins, McGough, Lawther. The Mayor in the chair. The minutes of last meeting were read.

"Resolved.—That the resolutions that may be come to to-day, as to proposed extension of the borough boundary, are understood to define outlines of extensions that appear *prima facie* to be desirable, but shall be subject to revision after the surveyor shall have reported on the probable expense consequent on such extensions if approved.

"Resolved.—That in the opinion of the committee the boundary should be extended on the south side of the borough, to a point, say, 300 feet south of Stockmans-lane, and to run to the Falls-road and the Lagan. Also on the north side, from beyond the road on the other side of Sydenham station, going beyond the Knock station, and returning to the present boundary, near Orangefield house.

"[Councillor Dixon did not vote.]

"Resolved.—That in our opinion power should be given to the Local Government Board, from time to time, as the application of any municipal authority or Town Council, to hold an inquiry (local) as to the propriety of including within the boundary of any such municipal or town boundary of any districts lying outside of same, and to grant provisional orders authorizing such extension."

"Meeting of Law and Improvement Committee, 12th March, 1929. Present:—The Mayor, Alderman Haslett, Councillors Saffern, Kelly, Gregg, Lindsay, and Miss The Mayor in the chair.

"The minutes of last meeting read, a memorial from Mr. Wolf, Mr. Masterson, and several other residents of Ballymacnab, and copy of one received from Mr. Brown, dated to have been signed by several, &c., of Ballymacnab and Knock district, having been read,

"Resolved.—That the memorialists be informed that the committee are of opinion that there must be considerable misapprehension in the minds of the memorialists as to the effect of an extension of the borough boundary, and that the committee will be prepared to meet the memorialists, if they so desire, to have a conversation with them on the subject."

"Meeting of Law and Improvement Committee, 17th July, 1929. Present:—Councillors Saffern, Kelly, Gregg, McGough, Lindsay. Councillor McGough in the chair.

"The minutes of last joint meeting were read. The Surveyor's report on the proposed extension of the borough was considered.

"Resolved.—That the extension proposed and laid down on the plan be approved of, and recommended to the Commissioners. Also, that, in laying same before the Commissioners, it be suggested that it would be desirable that facilities should be given for the Corporation from time to time to procure from the Local Government Board extensions of the boundary, as outside districts may become populous, or are likely to become extensively built upon.

"Councillor Lindsay dissenting.

"Resolved.—That the Town Clerk be authorized to supply the Commissioners with copies of all plans and other documents that may be required by them.

"Resolved.—That the Committee be summoned for Monday next, at 1.30 o'clock."

"Meeting of Law and Improvement Committee, 11th July, 1929. Present:—The Mayor (in the chair), Alderman Haslett; Councillors Harvey, R. Thompson, Gregg, Ilroyer, McGough, Gaffikin, Bewar, Lindsay, Saffern, Dixon, T. H. Browne, Lawther.

"The minutes of last joint meeting were read.

"Resolved unanimously.—That in the opinion of this Committee the members of the Council should be increased to 48, on account of the increase of population and of property in the borough.

"Resolved unanimously.—That in any re-arrangement of the Wards, it is desirable that the old lines should be adhered to as far as possible, with such modifications as may naturally suggest themselves, in consequence of the increasing valuation and number of voters in particular Wards.

"Moved by Councillor Harper. Seconded by Councillor Gregg:

"That, as the portion of Crown Ward on the Antles side is sufficiently large for a Ward of itself, it be recommended to the Commissioners, in consequence of the proposed extensions of the borough, to make that portion a separate Ward, and thereby increase the number of Wards in the borough to six.

"For.—The Mayor, Councillors Dixon, Gregg, Harper,

Saffers, Lawther, Gaffikin (7). Against—Councillors Harvey, Ewart, T. H. Browne, Lindsay (4). Passed.  
 \* Resolved unanimously—That the Mayor, Alderman Haslett, Councillors Gregg, Gaffikin, Harvey, and Ewart be a sub-committee to consider how the Wards should be re-arranged.

\* Resolved unanimously—That should the powers of the Commissioners permit them to take evidence on questions of location this Committee is of opinion that the qualification should apply to the possession of property, and should not be confined to one Ward, but that any ratepayer possessing the necessary qualification shall have the right of voting from so many Wards as that qualification shall exist in.

\* Moved by Councillor Saffers. Seconded by Councillor Lindsay.

\* That the minutes and proceedings of this Committee be submitted to the next meeting of the Corporation for approval.

\* Amendment Moved by Councillor Gregg. Seconded by Councillor Ewart.

\* That the minutes and proceedings of this Committee be submitted to a meeting of the Council in Committee.

For—The Mayor, Alderman Haslett, Councillors Lawther, Gregg and Ewart (5). Against—Councillors Harvey, Saffers, T. H. Browne, Gaffikin, and Lindsay (5). Carried by the casting vote of the Mayor.

\* The amendment was then put as a substantive motion and carried.

\* Meeting of the Sub-Law and Improvement Committee, 26th July, 1879. Present—The Mayor (in the chair), Alderman Haslett, Councillors Gregg and Gaffikin.

\* Moved and seconded—That in order to bring up Southfield Ward to about the average number of voters in other Wards, it be recommended to take the districts lying between Falk-road and Grove-street from George's Ward and add it to Southfield Ward.

\* Meeting of Law and Improvement Committee, 2nd August, 1879. Present—Alderman Johnstone, in the chair, Alexander, the Mayor, Preston, Savage, Haslett; Councillors Gregg, R. Thompson, Dixon, Jenkins, and M'Geagh.

\* Resolved—That the Mayor, Alderman Johnstone, Haslett, and Councillor Gregg be appointed a sub-committee, with the town clerk and surveyor, to conduct the case of the Corporation before the Boundary Commissioners, and to report thereon.

Witness also reads:—

\* Extract from minutes of quarterly meeting of Belfast Town Council, held 1st August, 1879.

\* Moved by Councillor Hamilton, seconded by Councillor Dixon.

\* That the minutes of the Council in Committee of the 19th July and 28th July last, now read, be confirmed and entered on the minutes.

\* Amendment—Moved by Councillor Saffers, seconded by Councillor Gaffikin.

\* That the following words be added to the resolution, and that in the opinion of this Council the Boundary Commissioners should be requested to adopt the following principles as to any proposed extension of the borough, viz.—1st, That a limit, not exceeding three miles from the present borough boundary, be fixed as that beyond which the borough shall not be extended.

\* 2nd, That as the principle laid down in the "Public Health (Ireland) Act, 1878," of vesting in the Local Government Board the power of uniting districts, has been found most beneficial in its operation, the Local Government should be empowered from time to time, on the petition of the Corporation, or of any twenty ratepayers residing in any district outside the borough, and adjacent thereto, to hold a public local inquiry, and on sufficient cause being shown, to declare that any district defined in such petition, and being within the limits above specified, should thereafter form part and parcel of the borough, and be thereafter subject to the provisions of all the Acts of Parliament affecting the borough; and,

\* That the Law and Improvement Committee do form a committee with authority to carry out the above resolution, and to employ counsel, if they shall deem it expedient, to appear before the Boundary Commissioners.

\* Lost.—A poll demanded. For—Councillors Gaffikin, Saffers. Against—The Mayor, Alderman Alexander, Hudson, Johnstone, Whitaker; Councillors Adams, T. H. Browne, Corbett, Dixon, Glenn, Gregg, Haslett, Harvey, Jenkins, Lawther, Lindsay, M'Gann, R. Thompson.

Alderman Sir J. Savage and Councillor M'Geagh did not vote.

\* The original motion was then put and carried.

\* A poll demanded. For—The Mayor, Alderman Alexander, Haslett, Johnstone, and Whitaker; Councillors Adams, Corbett, Dixon, Glenn, Gregg, Hamilton, Jenkins, Lawther, M'Gann, R. Thompson. Against—Councillors T. H. Browne, Gaffikin, Harvey, Lindsay, and Saffers. Alderman Sir J. Savage and Councillor M'Geagh did not vote.

\* Minutes of Council in Committee of 26th July, 1879. Present—The Mayor (in the chair), Alderman Johnstone, Haslett, Sir John Preston; Councillors R. Thompson, R. H. Thompson, Corbett, Gaffikin, M'Geagh, Gregg, Bradbell, Adams, Dixon.

\* The minutes of the Law and Improvement Committee, in reference to the proposed extensions of the boundaries, having been read and considered.

\* Moved by Alderman Sir John Preston, seconded by Councillor R. H. Thompson.

\* That the Council in committee approve of the proposed extensions as laid down on the plans prepared by the borough surveyor, and that the Law and Improvement Committee be authorized to take such steps as they may deem advisable for having same laid before the Commission, and to employ counsel for that purpose.

120. Mr. Bruce.—Are you acquainted with the extension at Sydenham, and the area proposed to be brought in?—Yes.

121. What is the character of the district?—It is really a suburban district of building ground rapidly being built upon. There are some buildings that are old, but the greater number are new residences. Immediately over the present borough boundary is Comewater, and immediately after passing Comewater, there are rows of houses and streets which have been built within a very short period, and laid out as the owners themselves planned, without supervision or control. Take Stranishmore, there are rows of houses there; and from that up to the proposed extended boundary the ground is substantially villa or building ground, and following the line then up towards Belmont the same observation applies. When you come down again to Knock there are a large number of houses built there within the last few years, a very large number indeed.

122. Does that map accurately show all the houses erected there?—No; that survey was made some years ago, and the houses are not shown upon it at all.

123. What is the character of the ground at Lord Downshire's side, which it is proposed to bring in?—It is likely to become building ground very soon, and as evidence of that I see there are houses being built quite close to the boundary.

124. Is the ground close to the boundary?—It is, and there are large mills and workmen's houses immediately over the boundary, and new houses have been erected there. There is one mill immediately outside the boundary, and another somewhere else on Lord Downshire's property.

125. Are you aware, as a matter of fact, that there was an application to the Local Government Board to bring Sydenham under the provisions of the Act, and to have it formed into a township?—I am, and I am also aware that the line we adopted is almost continuous with the proposed township. We don't follow it exactly. It is rather more limited.

126. Having regard to the character of that district, are you of opinion it would be desirable to have it annexed to the borough of Belfast if there is any extension?—Certainly.

127. And that extension is desirable?—Certainly; most decidedly extension is desirable.

128. I suppose in framing these proposed extensions what you have said applies to the county Antrim side as well. The Corporation took into consideration all the circumstances of the case, and the probability of the ground there being rapidly made available for buildings, and either new or soon becoming part of the

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town!—Certainly all these things were taken into consideration.

129. And on a matter of fact there is no authority at present regarding any building there; everybody builds as he chooses!—Yes; and the Boards of Guardians have refused to frame any by-laws to regulate the building, and they have even handed over to the Holywood Commissioners their authority as a sanitary Board, feeling they were incompetent as a Board of Guardians to exercise due supervision over sanitary matters. They have consented to the Local Government Board making a provisional order transferring the duties to the Commissioners.

130. With regard to Fortwilliam, is that also plentifully built upon?—A huge number of very good houses have been erected there within a few years back.

131. You speak about these houses which were in the Skeneshaw district; is that on the portion I described as formerly Mr. Boyd's?—Yes.

132. Are you able to say how they are sewered?—I saw a large tank made for the sewerage to run into.

133. Mr. Corcoran.—For how many houses?—I should think there must be thirty or forty, and the prospect of a great many more building.

134. Mr. Bruce.—How does this tank discharge itself, or does it discharge itself at all?—There is an overflow, and there is also a valve which does not appear to work.

135. Where does the overflow go to?—Into Connawater, and may become a great nuisance. The Corporation sewered Ballymacarrett at considerable expense, and they brought the sewerage up to the Queen's-quay, in order to prevent it running into Connawater; but here on the other side are these people destroying the effect of that by putting their sewerage into the Connawater.

136. And if the buildings increase will that become a public nuisance of an aggravated character?—I believe so.

137. Can you take the sewerage from Sydenham into your sewers?—So far as levels are concerned it can be done, but I doubt very much whether it would be advisable to do so.

138. Since Ballymacarrett was sewered are you aware there has been an increase in the buildings there?—A very large increase indeed, and property has very much increased in value since the improvements were effected by the Town Council, and since that portion of the borough was included in it. I would say from thirty to thirty-five per cent. was added to the value, although the public were adverse to being brought into the Corporation.

139. Do your remarks about Sydenham apply equally to Malene and Fortwilliam?—Yes; except as to the bog meadows.

140. What is the peculiarity about them?—They are not likely to be built upon, as they are flooded by the Blackwater.

141. Do you consider, from your knowledge of property, that the value of property in these districts would be increased, in case they came within the borough?—I do; I take Ballymacarrett as an evidence of that, and I think the apprehension of extension will hardly deny it.

Cross-examined by Mr. Twiss, q.c.

142. I wish to call your attention to the portion of the property that is on Lord Downshire's side. Do you know the extent of it?—The surveyor will be better able to give it.

143. When you say the ground is being rapidly built upon, do you apply to that portion of it which is Lord Downshire's?—It is a very small district, and I saw three new houses recently put up.

144. How many acres are there in it?—I don't know.

145. There are 128 acres in it?—These houses have all the appearance of new villas, and I have no doubt

the ground will be rapidly developed as building ground.

146. You say it is rapidly being built upon; within your recollection, what houses have been built upon that ground?—I believe there, within a very short period; I have not visited the district before, or directed my attention to it, but when I did visit it, for the purpose of this inquiry, I saw new houses there.

147. Before these three were built, how many houses were on it?—I don't know.

148. Is it a populous place?—At present it is not, except a mill that is there, and the workers' houses connected with the mill.

149. Where is the mill?—Quite close to the borough boundary.

150. Don't you think it would have answered your purpose to have drawn the green line so as to take in the mill?—No, for that would be taking in merely for the purpose of taxation. We propose to take in the building ground.

151. It would take in the portion that is near the town, and is actually built upon?—We don't propose to take in merely what is built upon, but what is likely to be built upon.

152. Have you any reason why that boundary was fixed upon?—Because we believe that it is a district likely to be built upon, within the next few years.

153. Is there any sort of natural boundary?—No. There is no reason, except that it was likely to be built upon, and to become portion of the borough shortly.

154. What would be the immediate effect of bringing in these people; would it make them subject to more taxation?—It would not make them liable to the police tax, but if they were lighted and watched they would be liable to police tax.

155. And that is 1s. 10d. in the pound for houses over £20 valuation?—It is.

156. And it may increase to 3s. 6d.?—Yes; but it never possibly can be that.

157. But they would be subject to that if the Corporation considered it just to put it upon them?

158. Mr. Bruce.—It is subject to appeal to the Quarter Sessions.

159. Mr. Twiss.—But in any case, it would make them immediately liable to police tax if the Corporation chooses to put it on them, and it may be 3s. 6d.?—Yes; but there must be an estimate of the expenses to be incurred, and the rate can only be struck for the amount required, and it is not in the discretion of the Corporation; that discretion is controlled by the Quarter Sessions.

160. It would make them immediately subject to the general purposes tax?—Yes; either in its general or less degree.

161. On the valuation of the houses—greater or less?—No; if the district was lighted and watched it would subject them to the general purposes tax of (in the maximum) 2s. 6d. in the pound, but if they were not lighted and watched only 1s. 10d. in the maximum would be the tax. The present tax is 2s., and there is a liability under the Act of 1873 to a further tax of 6d., but that must vary according to circumstances.

162. The present tax on non-lighted districts is 1s. 6d.?—Yes.

163. With a liability of 2s. 6d.?—No; to 1s. 10d.

164. Then there is the borough rate and the burial rate?—You may take them at 6d. on the average.

165. You say these people applied to have this place made a township?—Yes.

166. Do you know whether any of the owners or occupants of Ballymacarrett applied?—I do.

167. Do you know it as a fact?—Yes; I know the owners of the mills applied.

168. Do you know any others who applied?—No; but they certainly joined in the application, and they pressed them to do so in order to prevent its being incorporated with the borough.

DEPOSED.  
Sep. 2, 1879  
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140. At present these people are a rural district?—Yes.

170. And they are only subject to county cess, and you would put an additional taxation, for which you would give them no equivalent?—We would give them advantages.

171. What advantages do you propose to give them in return?—If necessary we would light and watch them, and change them for it, and we would regulate and control their building operations, and provide (where required) sewers.

172. But if they prefer to have the regulation of their own building operations?—Most persons wish to have no control in their building. It is not a desirable thing for the community to allow every one to do as he pleases.

173. Is there any probability of streets being built there?—Yes, the houses fronting the main road will virtually be in a street.

174. Are they not in the nature of villa residences, with land about them?—Yes.

175. And is there any probability of their becoming streets?—There is every probability; there is a large number of workers' houses close to the mill.

176. How far is this place from the boundary?—Our streets go up to the place.

177. With regard to the sewerage, they could make no use of your present system of sewerage?—I can't say that—it is an engineering question I can't answer.

178. How is that place lighted at the present time?—has there been any extension of the gas out there?—I think not.

179. Are the mills supplied?—I really am not aware.

180. Mr. CORNUM.—Does the light go out to your present boundary in that direction?—It does, and on that particular road. This is a map prepared, showing the extensions from time to time. The portions coloured pink were lighted and watched in 1855, and gradually since; in 1864 the portion marked "1864" was added, and in 1865 the portion coloured blue was added; in 1867 a little bit was added, and in 1871. The yellow portions unmarked remain unlighted and unwatched at the present, so that the lighting and watching has been extending in the way I describe.

181. Mr. FEWING.—Is there no reason for taking this in except that it may hereafter become villa residences?—And the probability of its becoming a populous district and being built upon.

182. Although within your territory, it has only increased by three houses?—Yes.

183. How long do you remember back?—I did not know the district before until I went to visit it for this commission.

Cross-examined by Mr. ROSE.

184. What are the particular advantages that you think this Sylvania county Down district will get, from the interference of the Town Council?—I think it will have all the advantages of municipal government, and it will have the benefit of particular Acts of Parliament applicable to it, regulating the buildings, the main and sewers, and matters of that sort.

185. What advantage will it have that it might not have under the government of the people interested in the property there?—I think it will have advantage through the people interested in the property, because the people interested would be represented on the Town Council if the extension takes place.

186. How many representatives do you propose to give?—Eight to the county Down side.

187. Do you think eight members on the Council is as sufficient protection to the people in this district as if the entire body were their representatives?—My impression is that a small separate district is very undesirable and people will not control themselves if they can help it.

188. CHAIRMAN.—They have no power there at present.

189. Mr. ROSE.—I apprehend they have power to apply under the Act of 1878. Isn't gas supplied by you voluntarily out there at a profit?—In parts of the district only.

190. Don't you send out gas there at a large profit?—Certainly; wherever mains run we send out gas.

191. Aren't you willing to send it now to every person who buys it?—Within the district where the mains are laid.

192. Aren't you willing to give any man gas who pays half the cost of the mains?—No.

193. Why?—The first consideration, before we make extensions, is, would it pay; and unless the consumption is sufficiently large to justify us in making the expenditure, we will not make it.

194. CHAIRMAN.—Who lights the public roads?—No one.

195. Mr. ROSE.—The district has gas which you sell at a profit?—Some of the private houses have gas from us.

196. Mr. Ewart has?—He has. I think if the mains are laid under the General Gas Commissioners Act, we would be bound to supply gas within a certain distance of the mains.

197. You seem to shrink from increasing the expense. Doesn't Mr. Ewart, whose house is supplied with gas, live beyond the boundary?—He does; but before we decided upon lighting Mr. Ewart and others near him, the question considered was whether an extension there would pay the Corporation, and the gas manager reported that it would not only pay but give a considerable profit; but if he had reported the reverse, the extension would not have been made.

198. If it pays to go further than the extended boundary, it will pay to go through all parts of the township?—That is a totally different question.

199. Why?—Because the roads outside, on which the mains are laid, may be sufficiently populous to justify the expenditure, while in other parts of the district the houses may not be so numerous as to justify the Corporation making the expenditure.

200. I am assuming this is a populous district under its own government?—That is different.

201. Is there any fear but you will supply them with gas if it pays?—Not the least, on their paying half the cost of the additional mains, we will supply them.

202. Do you know the area of the present district of Belfast?—Yes; 5,591 acres, with 814 acres take-way; that is, 6,405 acres altogether.

203. Can you tell me, as a matter of fact, the area of the city of Dublin under the Corporation of Dublin?—I cannot.

204. Would you kindly look there (*Thom's Almanac*) and you will find it?—The acreage of Dublin is given here as 3,898 acres.

205. And you have told me that the Belfast acreage is 5,591 acres?—Yes.

206. And if you add the large and important townships of Rathnales, Fombrooks, and Rathgar to Dublin, the acreage is only 6,938?—Yes; but we never compare Dublin with Belfast. Dublin is not a city that is progressing, but Belfast is progressing very fast.

207. I suppose you are very much engaged in the Corporation business yourself?—Yes.

208. And Mr. Montgomery is occupied fully also?—Yes.

209. And don't you think you would not be able to do more?—I would be able to do a great deal more.

210. At all events, it would involve additional expense?—I have a private business in addition to the Town Clerkship, and I carry on both; but at the end of next year I hope to retire from private business, and devote myself exclusively to the town business.

211. At the same time you are very much occupied with the affairs of the town?—A good deal occupied.

REMARKS.

Aug. 2, 1879.

No. 3. Black.

212. Mr. Montgomery is extremely busy!—He has a great deal of work to do.

213. As a matter of fact, do you consider that the paving, drainage, and the other matters with which you have power to deal, have been fully discharged by the Corporation of Belfast within the present district?—I do.

214. What about the main drainage scheme?—I think the time has not arrived for a main drainage scheme yet.

215. Was that scheme not recommended in 1866?—It has been often talked of, but, like many other schemes, it has never been carried out.

216. The question is, whether you should not have put your own house in order!—We have got it in very good order.

217. Part of it, no doubt, except the Blackstaff!—We have got a bill to improve it, and we are proceeding as rapidly as we can.

218. How long is it since you got powers to deal with the Blackstaff?—Never until 1878, and in 1879 we are taking steps to deal very effectually with it.

219. Did you ever expend any money on the Blackstaff at all?—I see £15,000 mentioned in one of your Acts of Parliament!—We might as well have asked for £15 for the work.

220. What amount would it take to deal properly with the Blackstaff?—The estimates for 1878 were something about £70,000, but then there would be considerable return from that, and the loss would not be so much.

221. You say there is a large income from this!—If you want the estimates I will have them.

222. You say it would take £70,000 to deal with the Blackstaff!—That, I think, is the gross expenditure.

223. And there is no doubt that is a crying nuisance!—It becomes a very crying nuisance about the month of November, when the new elections come up, and there is a great deal more cry than reality about it.

224. Doesn't it make itself very well noticed if not heard!—It is a nuisance will be remedied now.

225. It can only be remedied at considerable expense!—Yes; and the money will be provided for it.

226. It is really a Belfast work for the benefit of the town of Belfast!—Anything that benefits the district adjoining the Blackstaff will benefit every portion of the town.

227. Then, on that principle, you might go over the whole of the county Down!—No.

228. These portions proposed to be taken in are separated from the present municipality by the river Carrone!—You can scarcely call it a river. It is a little stream which the tide comes up and then there is a very considerable stream of water, but when the tide is out it is a wretched little puddle.

229. Does it separate the two districts so far as drainage is concerned?—Yes.

230. Isn't drainage the main advantage you propose to give under your government!—No; it is one of them.

231. What are the others!—The laying out of streets and the supervision of the erection of buildings.

232. Don't you think that is possible in any place except by the Belfast authorities!—I do.

233. You have seen the townships of Rathfriland and Rathgar!—If you go into the question of establishing townships, that is a totally different question.

234. On the supposition that they have got self-government, what are the advantages under the recommendation of the Commissioners, or otherwise, that you propose to give these people, that they would not have themselves!—They would get all the advantages we could give them, with separate authority, and similar Acts to what we have got.

235. If that can be done, you think there is no reason why they should not provide their drainage arrangements, and have their town in proper sanitary condition!—I think that cannot be done.

236. How much do you spend on the roads in Belfast!—The general purposes rate is principally spent on them.

237. I think I understand you to say that, so far as regards the opinion of the people outside the town, and in these districts, it is decidedly hostile to the proposition of the Town Council!—A number of them are.

238. Speaking generally, are they against it!—No, I said a great number of them are.

239. Is there a majority of them against it!—I can't tell. I know a large number in the county Down side who were opposed are not more.

240. What is the reason of that!—Because they prefer the town being extended, and they think they will never get anything done unless it is extended.

241. They want government, and it is between us government and the Town Council!—They feel a strong want of government.

242. Have you got any memorial from these districts asking to be taken under the Council!—No.

243. It is entirely the motion of the Council!—It emanates entirely from this Commission.

244. You remember the proceeding for the establishment of a township last year!—I do.

245. Did you take an active part, directly or indirectly, in opposing the obtaining of that township!—I took a very active part indirectly. The Corporation sent forward a memorial to the Local Government Board against the township, representing that this was a suburban district which naturally should be included in the borough of Belfast.

246. Having regard to the circumstances of this property, would you not say it was not rather a property on which villa residences would be built!—Are you speaking of the whole district!

247. Yes!—It is largely villa property.

248. How many streets, 100 yards long, is it proposed to bring in!—There are a large number of houses built there. There are two streets immediately over the borough boundary, and there is a street in Strandtown—in fact, two streets; one of them is very much in want of being properly made.

249. Have you any idea of the acreage of this ground you propose to take in!—No.

250. There are four streets on it!—Yes.

251. Are they very long!—No indeed, not very long, but I know a good deal of ground is being hid out for building purposes in streets.

252. With regard to trifling in that particular portion within the town itself, do I understand that the question of pressing that extension was subject to the report of Mr. Montgomery!—Yes.

253. When was Ballymacarrett first made portion of the borough!—In the year 1868 the Act was passed giving the Corporation jurisdiction over it.

254. Do you know the jurisdiction they had before that time!—We had certain jurisdiction.

255. Wasn't it part of the borough before that!—Yes; for a very long time before that.

256. Turn to the 25th section of the Act of 1868, and tell me what was the meaning of the direction in the Act of Parliament to proceed to put your power in force. Was not this district in their own immediate control for many years!—I don't think it was in the hands of the Corporation; the power they had over it was very defective.

257. Was it not within the borough twenty years before you had anything to do with it, and was it not subject to the powers of the Town Council to be dealt with, twenty years before you dealt with it at all!—It was.

258. Why did you not deal with it!—Because we had insufficient powers to deal with it.

259. Was it different from any other parts of the borough!—Yes.

260. How!—The general purposes rate did not apply to it at all.

261. CHAIRMAN.—The county had charge of the roads, and it was transferred at that time!—Yes.



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—  
Mr. A. Black.

262. Then it was separate so far as the roads were concerned, and it was brought under your case then?

—Yes.  
263. Mr. Ross.—Did you charge any tax on Ballymacarrett before that time?—I believe only a borough rate was charged.

264. Weren't these the greatest complaints made by them as to the treatment of them by the Corporation for several years?—No; they were very anxious to get a township for themselves.

265. And they were contented with your treatment?—No; but they were anxious to get a township formed, and to avoid extra taxation.

266. Didn't you put a tax on them?—We put a borough rate of 3d. in the pound.

267. But that will not do much for them?—The inhabitants opposed the bill in 1868, and it was carried notwithstanding.

268. Do you know anything of the extension of the tramway system to the district of Sydenham?—I know the tramway acts well.

269. Do you know the advantages of the extension of tramways to that part of the town?—I do.

270. Was there any interference put upon the tramway company, that you would not permit them to lay down their line there until they gave extensions to other parts of the suburbs?—No; they have power to go on without permission of the Town Council, and the statement made at a public meeting by one of your clients is incorrect.

271. Your evidence is that there was no interference with them whatever?—No; and the company have power under their Act to lay down the line to-morrow if they choose, and we can't refuse them.

272. It is your evidence that there was no interference whatever against this district in the matter of tramway communication?—Certainly not. We were most anxious the Tramway Company should make the line; but what I presume you refer to is, that it was one of the conditions sought by the company in getting their Act of Parliament, that they should narrow the gauge of the lines in the borough from 5 feet 3 inches to 4 feet 8½ inches, and we add "and, we will insist on your asking the extensions before you interfere with the existing lines." We have done our best to get the people extensions of the tramway system.

273. And it has nothing to do with the accommodation of the Ballymacarrett district?—Certainly not.

274. Suppose you get your two-mile limit from the present boundary, can no other authority do anything in that district in the way of providing for the wants of the people?—The Corporation will be the sanitary authority.

275. But suppose the Corporation think fit not to do it in any part of that particular district, is or is not that likely to be injurious to the district?—I think you are supposing an impossibility.

276. Take Bloomfield Road; do you mean to say that the large sums expended there would have been subject to borough taxation?—I don't know that.

277. Why?—Because it is on the limit of the town. Your clients have built a lot of shops over the borough boundary, and there is a line of shops ready to be occupied, and on the opposite side of the way there is a shop built with more wooden partitions, and no inner walls whatever.

278. Are you aware there are 250 acres there, and that of that only fifty acres are available on which any shop or anything except a villa can be built?—I don't know.

279. You think you have a right to go outside your boundary, and to follow people who go out simply because they are near your boundary?—I think whenever any outside district becomes sufficiently populous to become part of the town, it should be included.

280. Don't you think it fair these people should have their villa residences, and no shops?—Yes.

281. As a matter of observation and fairness, don't you think that people who have charge of their own property are more likely to look after it than people who are outside that district altogether?—That depends altogether on the number of parties concerned. As a matter of fact, individuals are very apt to do things in the most economic manner, and I can give a case as an instance of that, the case of a house on Hollywood-road. They have built a house there, and fitted it up for a place of business, with not a single inner wall of any description.

282. That is a good argument in favour of having an inspection for houses; but suppose people are willing to submit to that, don't you think it an advantage to have control of their own taxation and expenditure?—Not if a district is a small one; I think it would be much more advantageous to be connected with a large district, and to have a controlling power over them.

283. You would have the people on the other side of the river detaching the interests of the people living out in these country parts?—They would have a joint interest.

284. But are not the inhabitants of the houses out there usually people who have houses in the town, and have business connected with them?—Many of them are.

285. Don't you know they are all?—Well, mainly, they are.

286. Don't you consider that these ratepayers in the town have a right to be considered when they go outside the boundary?—No; I don't think so.

287. Who was it gave instructions for the preparation of the proposed borough boundary?—The Law and Improvement Committee.

288. Did they give detailed instructions?—No; certainly not.

289. Do you know any particular reason why Mr. Craig and Mr. Dixon were not included in the extended district?—I do.

290. What is it?—The land beyond that boundary proposed is agricultural land, and cannot, by any possibility, in thirty-three years, be anything but agricultural land.

291. What district is that?—Immediately beyond the green boundary.

292. Why do you consider the covenants in his lease and not in the others?—I happen to know of the covenants in this particular lease.

293. Was that particular part of Ballymacarrett included in the proposed township?—Yes; and agreed to be left out. Personally, I pressed upon the Corporation to extend their boundary beyond the river; I told the committee that unless they brought myself in, all the water in the Lagan would not wash them clear of a job. I am most anxious that I and Mr. Smart and others should be brought in, to show there was nothing personal in the matter, but when the committee considered it, they thought it would be absurd to do so, and, consequently, the line was limited to what it is.

294. CHAIRMAN.—Why not bring in all Ballymacarrett?—We have brought in all that is likely to be built upon.

295. But there are a number of houses there?—We have not brought in any person for the mere sake of taxing them; the Corporation think it would be absurd to bring them in, as their ground can never be building ground.

296. Mr. Ross.—Is Mr. Dixon one of the occupiers of a farm up there?—He is the owner of a mill.

297. He lives in part of the excluded district?—Yes; and your clients agreed to leave him out of the township.

298. As a matter of fact, Mr. Dixon is a member of the Corporation?—Yes.

299. What is the name of his house?—Dandrove.

300. Was Mr. Dixon actively engaged in opposing the formation of the township?—Yes.

301. Did you get him to appear as active plaintiff?—No.

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302. Did you speak to him about it?—I did.  
303. Is Mr. Craig one of the persons included?—Yes.  
304. Does he come close to the others?—Yes; he is within what would be the townland boundary.  
305. CHAIRMAN.—You may take it for granted that if we followed the townland boundary both these gentlemen would come in?—We have no objection to their being included.

306. What do the railways pay at present; do they pay on the full amount?—I think only on the fourth.

307. In your case only a fourth?—There is nothing special in our case.

308. Is there anything about arable land?—It doesn't pay any police tax whatever.

309. But it pays the general purposes rate?—Yes; the same as it would have paid county cess, had it remained outside. It pays the whole of the borough rates, and nothing for police rate, even if lighted and watched.

310. Then, according to that, the arable land that is let for thirty-three years would not pay anything if brought in?—No; it would pay three-fourths of the general purposes rate, and the full borough rate.

311. Mr. Ross.—Isn't the greater portion of the district arable land?—Certainly not. As a matter of fact, villas built upon three or four acres of land will be rated for police purposes, but the land around them will not.

312. CHAIRMAN.—There, so far as arable land is concerned, all the gardens attached to gentlemen's houses were largely by being brought in?—I think there is a wrong impression about the effect of this proposal altogether.

313. Mr. Ross.—My clients want to have the management of their own district. They believe they can do

it more cheaply. They believe that if they have power over these lands they will be more rapidly brought into urban condition, and the issue between the two is—the Belfast Council say they can do these things better than we can do them, and we ask you to recommend that we are able to do them ourselves. What I wish to impress upon you is as to the argument addressed to you, that there are districts outside Belfast on which there are houses built which will be in an unhealthy condition if the township is not extended. It is in the case that you practically at once determine that it is not possible for us in any way to have governing power, any contention in that respect is gone.

314. Mr. Ross.—Were you on Mr. Boyd's property, Mr. Black?—No. I drive along it twice a day, six days in the week.

315. Are you aware that in the roads he has made there he has put drains through estates, and expended a large sum to make the roads in the best manner?—Not the best manner. I am aware he has made some drains which open into a large cesspool.

316. No, into Conservator?—The cesspool is along Conservator, and the overflow goes into the river.

317. You stated that the only drainage of the district was into a cesspool?—I will not say the only drainage.

318. Well, the drainage from his sewers?—If they don't drain into a cesspool they must drain into Conservator, and the Corporation have gone to an expense of £12,000 to take the sewage away from Conservator, and here on the other side are others putting sewage into the water, and destroying the effect of all that expenditure. I saw a large pool beside Mr. Boyd's premises into which the drainage goes.

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## BELFAST—SECOND DAY.—AUGUST 6TH, 1879.

Before Messrs. W. A. ELMAN, Q.C. (Chairman); C. P. COTTON, C.B.; and H. A. ROBINSON.

Mr. S. Black.

Examination of Mr. S. BLACK, resumed.

319. CHAIRMAN.—A return was asked for of the number of houses in the borough; I understand you now have it ready?—Yes; you asked for a return of the number of houses in the different wards. That return is as follows:—Dock Ward, 5,738; St. Anne's, 9,881; Smithfield, 6,539; St. George's, 7,073; Ovens, 9,246; making a total of 39,467.

320. Kindly give us the exact rates on land at present?—Land pays borough rate, which we may take at 6d. in the pound.

321. That is the full rate and the parks rate?—Yes, borough and parks. Under one of our Acts, the Act of 1868, I think it is, we have power to assess several borough rates as one borough rate. They may be all assessed, whether burial rate, borough, or park as one rate.

322. The maximum borough rate is 6d. to the pound.

323. The burial rate you may put on?—Yes. Land pays the general purposes rate which, within the lighted and watched district of the town is a maximum rate of 2s. 6d., but now it is only 2s. in the pound. In the outer districts, not lighted and watched, it might pay a maximum of 1s. 10½d. In point of fact it only pays 1s. 6d. at present. It pays no police tax, whether within or without the lighted and watched district.

324. The land in the non-lighted district pays nothing in the way of police tax?—In the non-lighted district the land pays nothing except borough rate and general purposes rate. It pays no police tax whatever whether within or without the lighted and watched district.

325. We may take it that the maximum tax that can be levied on the land would be about 2s. 6d. to the pound.

326. What is the utmost limit of the borough rate you are empowered to levy?—It would be unlimited under the Sanitary Acts for particular purposes. If

we required it for sanitary purposes it would be unlimited.

327. I understand that for parks the borough rate levied cannot be more than 6d.?—The rate is limited to 3d. for parks. The burial rate is also limited, but presently we will be done with it this year, and the people will have a profit from the cesspool.

Cross-examined by Mr. Ross.

328. You referred in your direct examination to Mr. Dickson and Mr. Craig's property; why were they excluded?—Because we did not in any one case take in mere residences that were not likely to have other buildings put up in their vicinity.

329. You know they were in the intention of the authorities that laid down the map of the township?—I know they were included in the district of the township, but I also was informed by them that the parties who were promoting the matter had agreed to exempt them out of the township.

330. Was that the reason, and the only reason, that you left them out?—The only reason we left them out was as I have already told you, because the district was not likely to be built upon, and we therefore thought there was not any necessity for bringing it in.

331. You knew they were in part of the township?—Certainly; and we have not the slightest objection, if the Commissioners now sitting think they should be brought in, we have no objection to bringing them in.

332. I believe you were perfectly well acquainted with all the reasons that led the Town Council to recommend an extension of the county Down boundary?—I am certainly acquainted with all the discussions that have taken place in the Corporation on the subject.

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334. Was it the object of the Town Council in doing that to serve those districts in the county Down, or to serve the town primarily?—To serve both, I think.

335. In what respect was it to serve the districts proposed to be taken in?—I think it would be of great advantage to the districts to have proper sewerage and bedding regulations, for street purposes and things of that sort, and I think it would be of the greatest advantage to the districts themselves; and I also think it would be of great advantage to the present borough. In all human probability the borough will be afterwards extended out there, and, if proper regulations are not observed now, it will involve a considerable outlay hereafter to secure proper sewerage—In fact, for the want of proper arrangements within the borough, the Corporation are now paying considerable sums for widening streets, and other matters of that sort. If proper regulations had been made in the first instance, and observed, these expenses would not have been necessary.

336. You are the law officer of the Corporation. Of course as such it is your duty to tell them fully as to the law available for the districts under their control. Did you, as a matter of fact, bring under their notice the Public Health (Ireland) Act, 1878?—As a matter of fact they were quite aware of it. As to whether every member of the Corporation knew the particular bearing of each of its sections, or whether I do myself is a different question. Some of them, perhaps, I do not understand myself too well.

337. It was fully brought at all events before the committee of the Corporation?—Yes; and what is more, it was fully discussed.

338. And you advised them fully on it?—Yes.

339. Will you now turn to the 41st section of that Act. In what respect do the provisions of that section—assuming them to be carried out—fail to provide for the matters you refer to as of great benefit both to the borough and also to the districts proposed to be annexed?—Oh, I think it would be quite possible to make by-laws for the purpose.

340. You think, assuming that the Public Health (Ireland) Act is applicable to this district, that the objects that you look to for the benefit of the borough, and also for the benefit of the district, could be sufficiently met?—I think they cannot and never will be met under it. I think the Board of Guardians would not make the necessary by-laws.

341. I am assuming that these provisions can be applied. You will kindly direct your attention to that. Assuming that the provisions of the Public Health Act can be applied to these extended districts, are the provisions there sufficient to meet these things that you consider as advantages both to the borough and also to the districts?—I think the Board of Guardians are totally incapable of regulating these matters.

342. That is not, with great respect, keeping to the point. You will confine yourself to what they are capable of regulating. You will assume that these clauses are applicable to the district?—I am not assuming that; I am not prepared to assume it.

343. I do not think that it is desirable that I should mix into an explanation with you as to whether this Act is really applicable or not to the districts in question. I will submit bye and bye that it is. Assuming that the law is applicable to those districts, do the provisions there meet the requirements that you think as necessary, and that should exist, and that would be of so much benefit both within and without these districts?—I would have to read the provisions very carefully before I could answer your question.

344. Well, will you kindly read them, because it is very important for my clients; and you must remember that you are practically pressing this on those outside the town, because it is for their benefit, and a very desirable thing?—And also for the benefit of the town.

345. I can quite understand that it is your duty to

attend to the interests of the town?—Well, assuming those sections to apply, I think the sanitary authority would have power to make by-laws for everything under the circumstances.

346. Everything that you consider really material?—Nearly everything.

347. You know there are a great many other things, but I will take this for example—the power of keeping sewers in repair, the power of running sewers through adjacent property, and other matters; in fact, as far as I can see, they have larger powers than the Town Council?—But the provisions do not apply to lighting and watching. Before I go from this question I must be permitted to explain that the Board of Guardians have absolutely refused to make any such by-laws.

348. Have you any of the particulars of that refusal?—Indeed I have. I will be happy to give you the paper containing the report of the meeting.

349. And when was that meeting held?—It was held on the 22nd of July last.

350. Will you tell me what was done at that meeting?—Certainly. Mr. Gaffin moved a resolution, of which he had given notice, to the effect that the following members of the Board be appointed a sub-committee to prepare by-laws, as authorized by the 41st section of the Public Health Act, for the regulation of buildings, and the fencing and making new streets and sewers within the rural portion of the Union—the three chairmen of the Board, Messrs. John McGee, Christian, Saffern, Morton, Wm. Ireland, John Ireland, and Gaffin, with power to obtain the assistance of a civil engineer, and any professional advice they may consider requisite. After a debate the resolution was put, and lost by a large majority.

351. We have referred to the 41st section of the Act. Will you now kindly turn to the 12th section of the same Act. You see that section?—I do.

352. Are you aware whether any application has been made to the Board of Guardians, or to the Local Government Board, or any application previously made to the sanitary authority—that is the Board of Guardians—to apply to the Local Government Board for the formation of a united district, such as is mentioned in that section?—I do not know of any.

353. You don't know of any application having been made?—I do not.

354. As I understand you, all that was refused by the Board of Guardians was on their own part directly to undertake the duties imposed under the 41st section?—If you read the debate at the meeting, as reported in the newspapers, you will see that.

355. That is so, I apprehend. Your evidence is also that there has been nothing done to bring into effect the 12th section?—My evidence is that I know of nothing having been done, and I must say that I think if it was done the Local Government Board could not grant it.

356. Why?—Because it would be contrary to the report of the Committee of the House of Commons, which, I take it, the Local Government Board would feel bound to act upon.

357. How is that?—Because I think it would be virtually constituting it a township within the limits named in the report.

358. CHAIRMAN.—But it would not be anything like a township?

Mr. ROSE.—That is what I want to press, that all the things desirable for the locality that does not want to be brought in can be obtained without annexation—the power of acting, but not the creation of a township. (To witness): Coming to the 12th section—don't you see that under that section any district, such as those which you are seeking to incorporate in the county Down, can be brought into a united district?—I see that districts can be, for certain purposes.

359. What are those purposes?—The procuring a common supply of water, the making a main sewer,

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of carrying into effect a system of sewerage for the use of all such districts or contributory places, or for any other purpose of the Act.

360. The "other purposes" are the important purposes provided for in the 51st section, which you say would largely meet the wants of the localities!—It does not apply to lighting or watching.

361. You say that does not apply to lighting or watching?—So I think.

362. Will not the purposes that the Town Council have in view, in bringing in these districts, be met by these bye-laws—that is to say, that although the Down district cannot have as perfect bye-laws for watching and lighting as may be imaginable, it will yet have what will satisfy the people there, and that will meet the difficulty of the Corporation. Do you say that lighting is not meant in that section?—I think not.

363. Will you now turn to the 33rd section of the Act of Parliament. I understand you to contend that the wants of the district in respect of lighting cannot be met without an extension of the boundary. Do you see the 33rd section?—I do.

364. Do you see that lighting is provided for there "where duly authorized"?—Certainly, there is no difficulty in seeing that.

365. Does not that apply to a district such as I am referring to?—Certainly not.

366. Why?—Because I think that "where duly authorized" means where there is an Act of Parliament authorizing lighting.

367. I understood you to say that the limit of the rate of taxation that could be charged on any part of the borough is 4s. 6d. on a valuation of over £50, and 5s. 6d. under £50. That is excepting the sanitary rate under the Public Health Act. There may be possibly some further extension.

368. Excepting that?—Is not that an enormous exception?—Well, I dare say it is.

369. Is there any limit whatever to the rate for sanitary purposes?—Not for sanitary purposes. That is common to all Ireland, as I take it—an unlimited rate.

370. Has there been any estimate taken for a main drainage scheme for Belfast?—A report has been made by Mr. Montgomery a good many years ago as to what a main drainage scheme would cost.

371. Can you tell me what it would amount to?—You can get that from Mr. Montgomery when he is examined. There is no use in getting it second-hand from me.

372. You referred to the property of the Corporation in the Ormeau Park lands as being a valuable one?—Certainly.

373. I believe you have tried to let those lands?—Yes.

374. Have you been able to succeed?—Yes, we have; to some extent.

375. To what extent?—To the extent of, I think, about £50 or £60 a year.

376. And how is it that those lands are not all let?—Because at present there is unfortunately a bill in the creation of buildings.

377. Then you don't consider those lands at present an eligible property?—I do, indeed. I think it is a most eligible property, and I think it is a most desirable site for persons who want to build.

378. Are the drainage arrangements in that neighbourhood satisfactory?—I think so.

379. In round numbers what is the gross taxation of Belfast?—I will give you, if you wish, the exact figures. In round numbers it is about £100,000 a year.

380. As I understand it, the essence of the proposal of the Town Council is that all the districts brought in shall be subject to the same rate of taxation as the town itself?—Certainly, if lighted and watched; and if not lighted and watched, the same as the portions of the borough at present pay that are not lighted and watched.

381. You propose by a simple resolution of the Council that it shall be capable of imposing an equal rate on the whole district?—And following that up by lighting and watching, and we must do that in order to levy the rate.

382. If you light and watch the district, you propose that there shall be no differential rate in favour of the outer district?—Certainly not.

383. And the houses will remain the same, and the land the same?—Yes. I may add that portions of the borough now lighted and watched are paying less taxation at the present time under the Corporation than portions outside the present borough boundary are paying to the county, and that circumstance affords some indication of the advantage it would be to the people themselves in those districts proposed to be annexed to be included within the municipal area.

384. You referred to the sinking fund as increasing the advantages connected with being brought under civic control. How is that sinking fund increasing?—I did not refer to the police rate sinking fund as increasing. I referred to the sinking fund under the Act of 1874.

385. Is that the only sinking fund?—Excuse me, there is a sinking fund under the Act of 1855, another under the Act of 1864, and also one under the Act of 1874. The sinking fund under the Act of 1855 is at the rate of not less than  $1\frac{1}{2}$  per cent., and not more than 3 per cent. We have hitherto stopped at  $1\frac{1}{2}$  per cent., and that is something like £2,000 a year. That goes in the reduction of primary mortgages on the police rate.

386. I understood you to say that the sinking fund is going on increasing?—Then in the secondary mortgages there is a sinking fund of 1 per cent., which is gradually reducing them. There is also a sinking fund in the case of the Act of 1874, and that is 1 per cent. accumulative. We are at liberty to apply our sinking fund under the Act of 1874 in the payment of our own mortgages. The interest that is saved by the operation is added to the sinking fund for the following year, and the result will be that though the sinking fund is only 1 per cent., at the end of forty or forty-one years, in place of 100 years, the entire debt will be discharged.

387. I understood you to enumerate among the mass of property belonging to the Corporation, the earnings of the markets as part of the property of the Corporation?—I count it as revenue available for the payment of the interest upon the debt, and a first-class property it is.

388. But of course that comes on people who pay taxes—it is a way of taxing people?—It is a way of raising a certain amount of revenue.

389. It is not the same as most of the other property of that kind, or the other property belonging to the Corporation. Do you think so?—Indeed, I don't think so.

390. Oh, it is not?—Yes. I think if the markets were sold as building ground, in place of being used as markets—as building lots in the town—that they would, perhaps, produce a much greater sum, a much larger income would be derived from them than at present. Will you allow me now to give you the figures, which I had not to hand a few minutes ago, when you asked me how much was levied in taxes for the year. I see that for the year 1873 the amount collected was £94,922 1s. 8½d.

391. And that on a valuation of £150,000?—Yes.

392. Do I understand you to say that there was an income of £70,400 from the gasworks?—I will give you the exact figures during the past year. The net profit on the year's working of the gasworks was £27,316 3s. 11d., and that is after paying every outgoing, including interest upon the money for the purchase of the gasworks.

393. And there is still due in respect of that?—I need not ask you whether it is a speculative property now, we need not go into that question—there is still

due in respect of that a sum of £451,843 1.—That is quite correct.

394. Did I correctly infer, yesterday, that you conveyed that this movement for the incorporation of this district, was at all popular outside the borough, in the extended districts?—How is that?—I conveyed that several parties living outside had spoken to me on the subject, and had quite approved of the proposed change.

395. I want to know whether you wish to convey to the Commissioners that it is a popular thing with the people generally, and that they are in favour of it?—I told you that the majority of the people are opposed to it, and my experience is that every one objects to be taxed, and besides that, the people have been persuaded that they would be ruined with taxation if they were included in the borough, and I have endeavoured, to the best of my ability, to remove that impression.

396. Is your evidence now that the great majority of the people outside, in this district, are opposed to the extension?—I think that if you polled the district through, probably you would find that the majority would be opposed.

397. The great majority of the people?—I would not say the great majority, because I think that once they know the facts a great many will change their minds. I think that a great many have been put, and allowed to remain, under a wrong impression.

398. Do you think that many of those men are under the impression that the things they want can be done by the Public Health Act, and not by the Corporation?—I don't know about that.

399. When was the extension first moved or proposed in the Corporation? There is some misapprehension concerning that. Was it with reference to the appointment of this Commission?—Of course when the Strandtown Commissioners, or at least the Strandtown people, made application for a township, the matter was then discussed in the Corporation, and a memorial was presented against it.

400. At that time, of course the Corporation was fully aware that the people at that time were anxious to get the powers of local government?—The Corporation thought it would be very objectionable to create a township on the borders of the borough, and they still think so.

Cross-examined by Mr. James Fair.

401. The last extension made was passed in the year 1863?—Yes.

402. Could you tell the Commissioners what proportion of the borough was then taken in?—I could not.

403. And you cannot tell the Commissioners how much of the borough as it now exists was added for the first time in 1863?—I could not without referring to the old maps.

404. That question was not considered, as far as you know, by the Town Council?—No, it was not; it was accomplished fact.

405. Since 1863 you have obtained six Acts of Parliament?—I will give you them. In 1864 we had an Act settling a chancery suit, one in 1865 for including the county Antrim side, one in 1868 for including the county Down, one in 1873 for the confirmation of a provisional order.

406. What was the provisional order for?—The provisional order was to enable the Corporation to borrow £15,000 and also £15,000.

407. For what purpose or purposes?—For permanent paving of the streets and district drainage.

408. Then they borrowed that money for those purposes?—Yes; and the Act gave certain other powers.

409. And then you have got the Act of 1874?—That was for the purchase of the gas works.

410. Then you got the Act of 1878 for general purposes?—Quite so.

411. Was there included in those Acts, as drafted

originally, any provision whatever by the Town Council for the extension of the then borough?—Certainly not so far as I know.

412. Is it a fact that when the bill of 1878 was being drafted the Corporation had not considered the question of extension at all?—I think not.

413. You think they had not?—I think not, except that with reference to the question already referred to. I cannot tell you the exact time that the memorial went forward against the constitution of Strandtown as a township. That was the first time the matter came before the Corporation.

414. Do you give credit to the Act of 1878 at all on the subject of the question of the extension of the borough at the time it was drafted?—I would certainly say not.

415. That you don't?—No; we never thought of going for an Act of Parliament for the purpose. In reference to this question of the extension of the boundary, I may say that in my opinion it could not have been extended by a private Act of Parliament, therefore there was no necessity for seeking a private Act for the purpose.

416. Was the Act of 1863 a public Act or a private Act?—It was what is called a hybrid Act: it partook of the nature of both a public and a private Act, and was introduced under special circumstances, and in accordance with special provisions.

417. Then the Act of 1863 was a hybrid Act for the purpose of carrying that Act?—It was.

418. And the districts now sought to be annexed were not included in the scheme at that time?—It was not thought necessary to do so at that time.

419. Did you, in December, 1877, think that any of the outside districts should be included?—Certainly; wherever necessary.

420. Did you contemplate an immediate extension, in December, 1877?—No; there were no facilities for obtaining it.

421. So that was the only reason, or was that the only reason, for not contemplating an extension in 1877—because there were no facilities; or was it because such a step was not advisable?—There were no facilities; and besides that, the thing was not considered at all necessary until the people moved in the matter of the Strandtown district, and then the question of an extension of the municipal area was seriously considered.

422. Did you say that, prior to the time of opposing the formation of the township in Strandtown, the Corporation had never considered the question of adding Strandtown to the Corporate area?—If you produce the letter which I wrote, you will find what I stated, and that is perfectly correct.

423. Can you answer the question or not?—I would prefer taking the words of the letter which I wrote.

424. Did you say this?—

"It was never, to my knowledge, either proposed or considered by the Council or any of its Committees that they should obtain powers to include the rural district referred to in the borough."

Was that "rural district referred to" the Strandtown district?—Yes.

425. Was it, up to December, 1877, proposed or considered by the Council, or any of its Committees, to add that district?—The words of the letter are quite correct; it was never proposed or contemplated to my knowledge.

426. Is that your knowledge still?—Yes, it is still. I have not changed it in any shape or form.

427. "There has been, no doubt, a great deal of misrepresentation, probably by parties for their own purposes, but I apprehend the magistrates of the district will find out that they have been misled."

Did you intend to convey, then, that there was no necessity for having a township, or for any alarm at being added to the borough, because the borough had no intention of adding them; is that the inference?

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derivable from your language?—I intended to convey to the ratepayers that they had been totally misled by certain parties as to the amount of taxation likely to be put upon them by the Corporation.

438. Do you intend that as an answer to my question? Did you intend to represent to the people that they were being misled as to wishing to have a township, because the Corporation had no intention of adding them to the borough?—I never did.

439. Did you write another letter on the 7th of January, 1878, expressing your opinion on the subject?—Possibly I did.

440. Did you say this:—

"On the 29th ultimo I received a letter from Mr. Corcoran, stating that a large number of persons had been induced to give the project their support, in the fear that it was intended by the Town Council to obtain powers to take order to control the district referred to, and he asked if this design had been entertained by the Council. In my reply I stated that it had never been, to my knowledge, proposed or considered by the Council, or any of its Committees, that they should obtain powers to include the district referred to in the borough; that there had, no doubt, been a great deal of misrepresentation, probably by parties for their own objects, but that I apprehended the ratepayers of the district would find out that they had been misled. I now repeat those assertions."

441. Did you write that?—I did, certainly.

442. Did you write this:—

"I have no hesitation in saying that those statements were altogether incorrect, and in proof that the Council did not contemplate absorbing the district, I may mention that in preparing for the bill now being promoted, the extension of the borough was never mooted."

Was that the fact in 1878?—Yes, it was quite true. Every word is quite correct; and had it not been for this Commission, there never would have been a proposal on the part of the Council, to absorb them.

443. Then, as I understand you, unless this Commission had come here, the Corporation would not have moved in the matter?—Certainly not, unless steps were taken by the people to form themselves into a township.

444. CHAIRMAN.—And then the Corporation would have opposed such action?—Yes.

445. Mr. Weir.—Were you present before the Select Committee on Local Government and Taxation of Towns in Ireland, in June, 1877, when Sir John Preston was examined?—Yes; I was present when Sir John was examined.

446. Did you hear Sir John Preston state this—now, remember this was in 1877, not so long ago, and there could not be much change since that time. Did you hear Sir John say, in answer to question 4,794—“as regards the extension of the borough boundary:—

“That is a question which I consider deserving of consideration, and I think it would be well if power was given to the Corporation, that when it would be required the boundary might be extended. The town of Belfast is increasing, no doubt, and has been increasing very much, and there are some localities which I think it would be found necessary to include, perhaps by-and-by, but I think it is not the time to do it yet.”

Did you hear him say that?—Yes; I dare say he did say it, but I have no recollection of his saying it.

447. And “we should see in what direction the town is going before we should extend the boundary”?—He may have said that.

448. By whom was he examined before the Committee?—By the Committee themselves.

449. You also were examined?—Yes.

450. Did you then advise that, instead of an immediate addition to the borough, power should be given to the Local Government Board, at the request of the Town Council, from time to time, to authorize that adjacent districts should be added from time to time as it was thought convenient?—I cannot tell exactly.

451. Was that ever your opinion?—My opinion is that it would be most desirable to give the Local

Government Board, or some other authority, power to authorize Corporations to absorb districts adjoining boroughs, as they become populous.

452. Was your reason for that that it was impossible to tell, beforehand, in what direction building might extend?—Certainly not.

453. What is your reason for holding that view?—My reason is that I think it is desirable that as ground, in the neighbourhood of a large town, is likely to become building ground, and, therefore, requiring regulation, there should be an authority to control the building on that ground. The principle of that is embodied in the Public Health Act, but it requires that a number of the inhabitants should take action in the matter. The parties in such a district can make an application to the Local Government Board for an order to annex those to the town, but the town cannot apply to the Board to annex such a district.

454. You said in your evidence that it was not because it was necessary to find out in what direction the town was extending, from time to time, that that was not the reason for postponing the consideration of the question. You have said that your reason was not that it was necessary to see in what direction the town was extending, before applying for an extension?—I cannot say that. An extension may be perfectly plain and justifiable, as being necessary, within certain limits, to-day, and yet a year hence it may be necessary to go for a further extension.

455. That is not touching the point at all. Was your reason for asking that power should be given to the Local Government Board on the application of the Town Council, to extend, from time to time—was the reason for asking for that permissive power because it was necessary to see in what direction building was extending?—I really cannot tell.

456. Did you ever say this, when giving evidence before the same Committee, at question 4,883:—

“I think it would be desirable that facilities should be given for a revision of the boundaries of the wards, from time to time, as occasion might require; I do not think it would be desirable that the Corporation, of themselves, should have that power inherent in themselves, but that by application to the Local Government Board a revision of the boundaries should be obtained, when circumstances rendered it necessary. For instance, one ward will increase much more rapidly than another, and property will increase in particular districts much more rapidly than in some other districts of the town?”

—Yes.

457. Mr. CORCORAN.—That is confined to the ward question altogether.

458. Mr. Weir.—When was this question of the boundaries brought publicly before the Town Council?—When the queries from this Commission were received.

459. Was that at a public meeting of the Town Council that the queries were received?—They were received by me, as Town Clerk, and reported to the Committee, and by that Committee laid before the Corporation.

460. When was the question of the extension of the boundaries first publicly laid before the Corporation?—I cannot tell you the exact time.

461. What I wish to ascertain is this; when first publicly the question of a revision of the boundaries was brought before the Town Council?—

462. Mr. CORCORAN.—Put the question in this way—was it brought publicly before the Corporation before these answers were sent out?—It was.

463. Mr. Weir.—That was on the 23rd of March—was it before the Council before that date?—Yes.

464. Do you know when the queries were received from the Commissioners?—I do not; the first sheet was received, and somehow went astray in my office, and I had to write for a duplicate.

465. When was that?—Sometime in the autumn of last year—a considerable time ago, at all events.

466. As I understand you, the first time the matter

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was brought before the Committee was upon the 13th of January, 1879—I think not.

457. That is the first you have given?—Perhaps you will refer to the other minutes before that. When the queries were received they were laid before the Committee, and simply reported to the Council, and nothing done—I have sent for the reports—and then the Council referred them back to the Committee to answer those queries, and you have all the minutes of the Committee on the subject in this book [pointed].

458. On the 13th of January, 1879, there was a meeting of the Committee, at which thirteen members were present, and the Mayor in the chair—and I see that the first resolution passed by that Committee is to this effect:—

"Resolved—That the resolutions that may be come to to-day as to the proposed extension of the Borough Boundary are understood to define the offices of councillors that appear *prima facie* to be desirable; but none are to be subject to revision after the Surveyor shall have reported on the probable expenditure consequent on such extension if approved of."

That was passed?—Yes.

459. Have you the original report of the Surveyor in pursuance of that resolution of the Committee?—The original report is here, and the Surveyor will be examined bye-and-bye.

460. I must ask you to give me a copy of the original report?—I have not got it.

461. Does the Surveyor keep his own reports?—Yes. They are copied into the book and kept.

462. Is that book in your custody?—No.

463. In whose custody is it?—In the custody of the Surveyor.

464. When a report is made by the Surveyor, the Town Clerk and Town Solicitor have nothing to do with it?—The Town Clerk has to do with it.

465. Have you the custody of them?—No.

466. Have you a copy of them?—I have.

467. Will you produce a copy of them?—Certainly; but I prefer that Mr. Montgomery, the witness who will be next examined, should produce it.

468. Mr. Brown.—We decline to produce that report at present.

469. Witness.—Perhaps you will permit me now to go back to a question about which I was not able to give you the exact date. On the 2nd of December, 1878, a report was presented by the Law Committee to the Council, with the following paragraph in it:—

"A number of queries have been received from the Boundary Committee, and your Committee recommend the Council to refer same to them and the Improvement Committee jointly, with power to take such action thereon as may be deemed advisable."

And, accordingly, the Council referred it to the Law and Improvement Committee, and you have the result in the minutes of the joint committee, which have been handed in.

470. Mr. Fair.—Then the first time, as I understand, that the matter came before the Council in Committee—At what date did it first come before the Council in Committee on the report of the Committee?—I think on the 28th of July.

471. On the 28th of July for the first time?—I think so.

472. The resolution of the Committee referring it to the Council in Committee in preference to the Council itself, was carried by the casting vote of the Mayor?—Yes, there was an equal number of members voting each way—five voting for and five against the proposition, but a number of the members of the Committee had left previously.

473. After coming before the Council in Committee on the 28th of July for the first time, when did it first come before the Council in public—when the members had an opportunity of knowing what was being done?—On the 1st of August.

474. Were you present at the meeting of the Council on the 1st of August?—I was.

475. Did several members say that they were unable to decide the question, and plead for further time for the consideration of it. Did you hear several members say that they hadn't time to consider it, and plead for a week's further time?—I heard one or two state that, I think.

476. Did any one say it was necessary to take immediate steps in the matter, as the Commissioners would be here, and they could not give a week to consider it?—Certainly.

477. Did several members of the Council oppose it on the ground that it would be disadvantageous to the town to include those districts proposed to be annexed?—Yes, several opposed it.

478. Did they state that as their ground?—I did not hear the ground.

479. Did not some of the members of the Council say that they opposed it because it was disadvantageous to the town?—I am not aware. I am not prepared to state what they said.

480. Did you hear any members say that they opposed it because it was disadvantageous to the town?—I really can't tell.

481. You don't remember whether you heard that or not?—No.

482. You were sitting in the presence of the members who were there?—Yes.

483. And you don't remember that that was said?—I don't know what was said. If you got the particular passage of the speech to which you refer, I will tell what I remember as to it. As far as I know, there are thirty-two members for and eight against the proposed annexation scheme.

484. How many voted in favour of appearing in support of this scheme before the Commissioners on the last occasion?—Fifteen; and on the first vote there was only two of a minority, and then five.

485. Then the number was increasing?—Yes; because the amendment to the resolution was altered to catch as many votes as possible.

486. As I am only confining my attention to the parties for whom I appear in the Malone district, may I ask you what is the area of the Malone district?—I could not tell that.

487. I want to see what you know about this extension scheme. I want to see what are your grounds of belief on the subject, and I want to test your knowledge of the matter—what is the area proposed to be included in Malone?—I do not know with any degree of accuracy, and I could merely take Mr. Montgomery's figures for it.

488. Do you know what the population of that district is?—I do not.

489. Do you know what the valuation of that district is?—Except by report, I do not.

490. Has there been a statement of the valuation, population, and area of Malone district laid before the Town Council?—There has been a statement of the valuation and the area, but not of the population.

491. Not of the population?—No.

492. Have you got that statement?—The borough Surveyor will give it to you.

493. Have you got that statement?—I have not.

494. It is not in your custody?—No; it is contained in the Surveyor's report.

495. Was that furnished to the Town Council as the basis of their resolution?—It was; in the borough Surveyor's report.

496. Then you don't know anything as to it?—Except in a general way, I do not.

497. Do you know that the district proposed to be included is a district where there is only one house to every six or seven acres of land?—I do not. I know it is a district where there is a great deal of building going on.

498. Do you know the number of new burgesses its absorption would add to the town?—I have not made any calculation on the subject.

499. Do you know the greater number of them

500. already enfranchised?—Yes, a good many of them are.
501. Would you say that nearly all were?—I could not say.
502. Would you say that 90 per cent. were?—I don't know.
503. You could not tell?—I could not say.
504. Generally as to the extension, is this correct—that by this extension you propose to add 50 per cent. to the area, and 5 per cent. to the population?—I think not.
505. Can you tell us what it is, if you think not. What is the proportion you propose to add to the area?—The figures, as given to me, are 3,700 acres; that is to be added to the original area of 5,091. I take it that that would be only 35 per cent.
506. I think you are wrong. What proportion of valuation do you propose to add, over 7 per cent?—I don't know.
507. Is it more than 5 per cent. ?—I could not tell.
508. Have you considered at all the valuation of the houses in the Malene district?—No, not the valuation of any particular houses.
509. Do you know the number of houses, how many are valued above £10, and how many under that amount?—I do not.
510. Are you prepared to say the numbers are not these—30 above £10, and 55 below it?—I am not prepared to say.
511. Has any estimate been made of the cost of lighting and watching this district of Malene?—Yes.
512. How much is it?—I don't know the particulars.
513. Was it before the Town Council?—Yes. Mr. Montgomery's report contains those particulars.
514. You refuse to produce the copy under your control?—I have undertaken that Mr. Montgomery will produce the original.
515. You have stated here that the ratepayers generally—that is, in the borough—are in favour of the extension?—I have.
516. Have any public meetings been called to ascertain their opinion?—None that I am aware of.
517. Has any memorial been received from the ratepayers inside the borough in support of the extension?—No.
518. Do you know that every single ratepayer in the Malene district has signed a memorial to the present Commissioners opposed to this extension?—I do not.
519. Mr. ROBINSON.—We have not got any memorial of that nature yet.
520. Mr. FEAR.—It will be handed in by-and-by. (To Witness.) Do you know that it is recommended to the Commissioners that the borough wards should not extend into two unions—has that come to your knowledge, or the knowledge of the committee?—I am not aware.
521. Do you know that Mr. O'Brien recommended, that as far as possible, they should be made co-extensive with the electoral divisions. Do you know, that in this Malene district that you propose to include, that if you do so you will take in part of what belongs to the Lichura union?—I am not aware of it.
522. Do you know so little about it as not to know whether you have not included a large part of the Lichura Union?—Not a large part, certainly.
523. Any part?—There may be some—a small part.
524. You don't know, however, whether there is or not?—I do not.
525. As I understand you, Mr. Black, a proportion of the extension added in 1853, was only gradually, and at long intervals, added to the lighted and watched district?—That is so.
526. Can you tell me now how much at the present time is still unlighted and unwatched?—The map shows it.

527. I would ask you to answer from your own knowledge, if you know?—I cannot tell.
528. Do you know that a great part of what is up to the present moment unlighted and unwatched, is contiguous to the new portion of Malene you propose to include—the portion of St. George's Ward running nearest to the boundary. You include the Bag Meadow in the proposed new district?—Yes.
529. You admit that that is not likely to be built upon?—I do; but the cemetery and park in the district belong to the Corporation.
530. You propose to add a portion of the Malene district which you admit is not likely to be built upon—do you?—Yes.
531. And you do that in order to get what is called a scientific frontier?—I don't call it a scientific frontier. It is in order to get a line from the proposed extension here (pointing to the map) to the Legem.
532. Then it is in order to get a scientific frontier—is not that the only reason?—What I have told you is the only reason.
533. As I understand you, in the borough as public meeting has been called to support this scheme?—I think it is quite unnecessary.
534. With whom of the ratepayers outside the town have you spoken on the subject?—A great many.
535. Can you give me the names of any?—I decline to refer to the name of any gentleman.
536. Is it because you don't wish to mention their names, or because you don't know them?—Because I don't wish to mention them.
537. Are the present boundaries regarded with great dissatisfaction by the ratepayers generally?—I don't think the ratepayers, generally, believe that the present boundary should be extended.
538. What means have you of knowing that?—From my general information.
539. And from persons whose names you decline to mention?—Yes.
540. That is all?—Yes.
541. With reference to the extension you told us of in 1853—the authorized extension—when was the last addition made to the lighted and watched district?—in 1871.
542. Then I take it that it took eighteen years for you to include the district, in other words, you did not in eighteen years include the whole of the district authorized to be lighted and watched in 1853?—We did not extend the lighting and watching to all the extension authorized; but we might have extended it if we chose. It was discretionary with the Corporation to do so or not.
543. I believe, Mr. Black, the Corporation have a great many important works on hand at present?—A good many, but all of them they are quite able to perform.
544. Are you able to abate the Blackstaff nuisance?—I hope so.
545. When were you first authorized to abate the Blackstaff nuisance?—The Corporation got certain powers in 1847.
546. And subsequently another Act was passed in 1850?—Yes; sundry Acts have been passed.
547. As a matter of fact, now has nothing been done with the Blackstaff since 1847 except to make it worse?—I do not think anything has been done with the Blackstaff to make it worse. The Corporation are at present moving to carry out the Act of 1878.
548. I am only speaking of the time that has elapsed since. Since 1847 I understand you have done nothing whatever with the Blackstaff?—We have.
549. What?—Cleaned it out from time to time.
550. And poured more nuisance into it?—(No answer).
551. The general drainage scheme was proposed so far back as 1855?—Yes.



552. Was the cost of that drainage scheme to be £600,000, or about that sum?—I don't know what the cost of it was.

553. You don't know the amount of the cost of that proposed scheme—from £1 to £600,000?—I don't know what the cost of it was. Mr. Montgomery will give you those details.

554. Do you remember whether it was £500,000 or £600,000?—I do not.

555. Do you know that it was an exceedingly large figure?—I know it was a considerable sum.

556. But nothing has been done since 1866?—Yes, a number of district sewers have been made, and they have been so constructed as to work in with the main drainage scheme when carried out.

557. Has nothing been done to carry out the main drainage scheme?—Nothing but district sewers to work into it when carried out.

558. Were those district works since carried out, independently of the main drainage scheme?—No, they will all work in when the scheme is carried out.

559. Was any part of the main drainage scheme, as decided by Mr. Montgomery in 1866, carried out in those district works?—None.

560. Then they are independent in this sense, that one works into the other?—Yes.

561. Have the Town Council taken any step at present to carry out the main drainage scheme?—Yes; they are feeling their way, a good many other towns are in the same position.

562. I believe the Town Council have also a scheme in hand for the erection of artisans' dwellings?—Yes.

563. What have they done to carry that out?—They have acquired the property, and thrown down a great many of the houses, and the street is partly formed.

564. What is the amount authorized to be borrowed for new streets?—Under the Act of 1878 £250,000.

565. On what fund is that chargeable?—The General Purposes Fund.

566. As I understand the General Purposes Fund is one fund that if this extension took place would be put on the district of Malton?—It would.

567. Can you tell me the total amount of the present debt of the Corporation?—Yes.

568. How much is it?—Exclusive of the gas loan, £177,518 14s. 3d., and with the gas loan £323,362 1s. 1d., that includes the district drainage loans. The £177,518 was originally £403,246, so that in point of fact there has been upwards of £250,000 paid off of the debt.

569. Can you tell me, in round numbers, what is the present total borrowing powers of the Corporation?—They have about £32,000 of borrowing powers for gas purposes that up to the present is not required. They have £346,000 in round numbers, borrowing power under the Act of 1878, and probably about £25,000 under the Act of 1873. That is in all about £400,000, and that includes the gas loan.

570. Can you tell me what the maximum rates are?—Do you want them all?

571. Yes, the whole of them?—Well, the maximum rates are in this wise: the police rate might be 2s. 4d. on houses over £50 valuation, and 1s. 3d. on those under £50 valuation; in point of fact they are only 1s. 10d. and 11d.

572. Well, I want the maximum in each case?—The general purposes rate is 2s., and might be increased to 2s. 6d.; the borough rate is a maximum of 3d. under the Municipal Corporation Act, and I am not sure whether it is limited to 3d. for parks, and 1d. for burial rate.

573. And is that the maximum burial rate?—I am not certain about the maximum of the burial rate. I cannot tell what is the maximum for the burial rate.

574. Is that the whole of the rates?—Then there is a district sewers rate, and also the one for sanitary purposes.

575. As I understand, there is an unlimited power of rating for sanitary purposes. Is not that so?—Yes, there is the same power all over Ireland.

576. Does it make any difference in your opinion whether the unlimited power of imposing rates for sanitary purposes is in a town that needs a great deal of money to be expended for sanitary purposes, or in a country place where there are fewer expenses under that head?—I think the expenses of the "country districts," as you call them, would be more than those in the town.

577. At present the Malton district is watched by the county?—I presume so.

578. Don't you know it is?—Well, I have heard gentlemen resident in the district say they never saw a policeman in the district.

579. Is it not watched as any other district in the county is watched?—It is under the charge of the constabulary.

580. Supposing you brought the Malton district into the town, would the county constabulary still watch it?—No.

581. Would you watch unless you imposed larger rates upon them?—If we lighted and watched it, certainly.

582. Am I to understand that supposing this extension is carried out the Malton district will be left unwatched until you or the county, or only you choose to light and watch it?—I should certainly say not. They would have the police force of the borough, whether lighted and watched or not; but a larger portion of the police is in the lighted and watched district than in the unlighted and unwatched parts.

583. Although you don't light the district you are bound to watch it?—Certainly. The police force are the police force of the entire borough, and they are bound to watch it whether it is declared lighted and watched or not. The lighted and watched district gets more watching than the unlighted district.

584. As I understand it is watched by the Corporation?—It will be watched not by the Corporation at all, but by the constabulary.

585. The constabulary are paid by the Corporation?—Not all; only half paid.

586. CHAIRMAN.—You get a certain number for nothing, and you pay half of the remainder?—Yes.

587. Mr. Fair.—You propose to put on the district at least the general purposes rate, the borough rate, and the parks rate?—Yes.

588. Do the farmers of this district need a park?—I don't know whether they do or not. I don't think there are many farmers in the district.

589. Do the people living in this district whom there are large villas and large farms need a park?—I think they would.

590. Now about the borough rate; how is that applied?—In the payment of the salaries of the municipal officers, the expenses connected with the highway roll, elections, &c., the maintenance of the Town Hall, and the sanitary expenses.

591. And you think it just that the people in this district should pay for the support of the officers of the Corporation, and that that should be put in its full weight upon those people?—Yes, and I think that its full weight is not a very heavy one.

592. Are there superannuation charges upon the borough fund?—There are no superannuation charges on the Borough Fund.

593. None of the officers have superannuations?—None of the officers have superannuations on the Borough Fund.

594. Are there any on the General Purposes Fund?—No, sir, there are none on the General Purposes Fund.

595. I think you gave us the debt on the General Purposes Fund as something about £28,000?—£28,912 7s. 1d.

596. What are the borrowing powers of the Corporation upon that particular rate?—£25,000 and

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£15,400 is the total under the Act of 1873, and £350,000 under the Act of 1878.

507. How much is that altogether?—£28,000 has been borrowed under the Act of 1873 out of £40,000, and about £4,500 borrowed under the Act of 1878.

508. What are the possible charges on the general purposes rate at present, in addition to what has been charged?—In addition to what has been charged, in round numbers, about £16,000 and £345,000.

509. To what purposes has the £38,000 raised upon the general purposes rate been applied?—About £8,000 for district sewers.

510. That is in the present borough?—Yes, in the present borough, and close upon £16,000 upon the permanent paving of the streets.

511. To what purposes would the remainder of the charges which might be raised on the general purposes rate be applied?—To the improvements authorised by the Act of 1878, and the carrying out of the works under the Act of 1873.

512. Are the works mentioned in the Act of 1878, to which that money is to be applied, specified?—They are.

513. What do they consist of?—They are specified in clause 7 of the Act of 1878.

514. As I understand you propose to put upon this district of Malrose a rate that is chargeable with hundreds of thousands of pounds for giving new streets in the centre of the town?—Yes.

515. The borough rate is applicable in the way you have told us and the police rate in like manner. What are the unlimited charges you might make upon this district of Malrose for sanitary purposes?—Is that for new sanitary purposes?

516. With respect to the district to which the rate is unlimited?—The police have the right of appeal. The proportion is limited, and any order of the Corporation is liable to be appealed from by any party aggrieved by it.

517. To what court?—To the Court of Quarter Sessions.

518. Can you tell me under what section of the Act that is?—Yes.

519. Let me have the section?—Section 63 of the Act of 1863. By that section the appeal must be brought within seven days. Then there is the other Act of 1873, extending the provisions as to appeals.

520. As I understand the district sewers are provided for in this way—one-third is levied off the town generally, is not that so?—Yes.

521. And the other two-thirds by other parties—the owners, and so on?—One-third by the owners whose property adjoins the streets through which the sewer is to run, and the other third by the occupiers in the district to be drained by the sewer.

522. If Malrose were included it would be liable in common with the rest of the town to one-third of the district sewer charges upon the whole of the town besides its own district sewer rate?—Yes.

523. If Malrose were included it would be subject, under one form or another, to its proportion of the one-third of the district sewer rate of the whole town?—Yes, and it would get the benefit of the rate in the same way.

524. You have stated here that the police force is paid partly by the town and partly by the Government. Out of what fund does the portion paid by the town come?—Portion of it comes out of the general purposes rate, and portion out of the police rate.

525. How much of the cost of the support of the police of the town is taken out of the general purposes rate?—I will get the amount for you in a moment.

526. Then I am right in saying that portion of the support of the police is paid for out of a rate that would have to be borne by this new district?—Certainly.

527. And would have to be borne by this new district before it was lighted and watched by the Corporation?—Yes; but it would have the benefit of the watching.

528. Do you know now any districts set lighted

and watched, according to the terms of the Corporation resolutions, which are, in point of fact, watched by the police?—The entire borough is watched by the Constabulary.

529. Can you tell me how many constables there are in the portion of the borough marked as lighted and watched?—I don't know, but I have heard of one constable being made of the inefficiency of the watching, and the town inspector certified to the committee that he had detailed a sufficient number of men to watch the whole of the districts.

530. Was any complaint made of the inefficiency of the watching in the district which, according to you, is not lighted and watched; or was any made in reference to the lighted and watched district?—In reference to the districts not lighted and watched, complaints were made in former years.

531. And not since the Corporation paid portion of the expense?—They have paid that since 1866.

532. How much for malicious injuries are they authorized to pay?—By the Act of 1863, they are authorized to charge £1,000 a year to the general purposes fund, and if more than that is wanted it is paid by a special rate.

533. Then I understand that if the Malrose district was included it would have to pay its proportion of the cost of any damage done in the way of rioting in Belfast?—Certainly.

534. To the extent of £1,000 a year?—I am happy to say it is reduced to a very small sum in recent years. We have had none, in fact, of any consequence since 1872. I am now able to give you the particulars of the cost for the year 1877 of the police force. The estimated cost for that year of the police force is £16,000, of which £11,000 was to be borne by the police rate, and £5,000 by the general purposes fund.

535. What is the cost of the Fire Brigade?—In the year 1878 it cost £2,889 4s. 6d.

536. Practically £3,000?—Practically not more than £3,000.

537. Why?—Because that sum of £2,889 4s. 6d. includes the cost of a new steam fire-engine, the cost of which was £1,035.

538. What then is the annual average charge under the head of the Fire Brigade establishment?—You might take it at £3,000, but that is rather over it.

539. Has the Fire Brigade ever been called upon or required to go to this new district you propose to add to the town?—I don't know; I don't keep a record of the movements of the Fire Brigade.

540. Would it be of any use for them to go there; is there any water laid there?—I have already said there are no mains laid there.

541. Do you see the fire-engines where there are no mains?—Certainly; there may be other sources of water supply.

542. Did you ever know of a case in which the Fire Brigade was sent to that district?—I have not. I have known a case in which the Fire Brigade was sent to Lisburn and also to White House, and it would doubtless have been sent to the district you refer to if there had been any fire there.

543. But it is a voluntary act on the part of the Corporation to send the Brigade outside the borough?—We always send the brigade outside the borough, if required, although we are not bound to do so.

544. There is only one Fire Brigade Station?—Only one central station, adjoining these buildings.

545. Did you not up to the maximum amount of the rates you can charge apart from sewerage and sanitary purposes?—Yes.

546. CHAIRMAN. — Kindly give them to us as levied for the past five years?—Yes; they are as follows:—

	1874.	1875.	1876.	1877.	1878.
On Valuation of land under £20, . . .	3	5	5	4	3
House over £20, . . .	4	5	4	4	4
And on Valuation in the unlighted District, . . .	1	11	1	10	1
	10	10	10	10	10

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637. Mr. Weir.—Then the maximum rates, exclusive of the sanitary and drainage rates, is 7s 1d. in the pound.

638. CHAIRMAN.—We will go on as to that in a moment.

639. Mr. Weir (to witness).—Have you considered how much it would take to light and watch this district of Malorne?—Personally, I have not.

640. Is there any maximum or minimum of the lamps to be put into the district, along the roads, to enable you to declare it "lighted and watched"?—No.

641. It is left, as I understand, to the discretion of the Town Council, subject to the appeal, as you have said?—Yes.

642. Is there any appeal to the Town Council, supposing they put only a few lamps into the district and declared it lighted and watched?—Is there any appeal from such an order as that as to lighting and watching?—We could not recover the rates unless there was substantial lighting. It must be substantial lighting.

643. But substantial lighting is substantial lighting in this case, in the discretion of the Corporation?—The question was tried in Mr. Murphy's case, and, inasmuch as we lighted up to his gate, it was held to be substantial lighting. He wanted to have his avenue lighted up to the mill.

644. Is there any amount you must expend in watching, or any number of police-constables in any area you must have in order to have that area declared watched?—The Council do not interfere at all with the number of constables. We leave it in the hands of Mr. Bailey, the town-inspector appointed by the Government, over whom we have no control.

645. It is left to you only to put the number of lamps you consider necessary?—Yes.

646. You cannot tell me what the total cost of the lighting and watching of this district may be?—I don't know. The borough surveyor will tell you, and I only know it from his figures.

647. Do you know his figures?—It is in his report.

648. Is there any limit, supposing you get this extension, of the time within which you must light and watch the district?—I think not; I am not aware of any.

649. In point of fact, you took eighteen years to carry out the work in the district you annexed in 1853?—Yes.

650. Well, suppose you get power to light when you chose, what would be the result?—We would be quite prepared to do it any time it would be required.

651. Would you undertake to light and watch the whole district proposed to be added to the town?—No; I think it would involve the town in very serious loss to do so.

652. Therefore you would not do so?—We do not propose to do so.

653. Then I understand it is merely whenever the Corporation choose to select any portion of the town they will light and watch it?—If you apply your question to lighting and watching, it is a matter of discretion with the Corporation.

654. There is nothing to compel them to do it within a limited number of years?—I fancy they could be compelled to do the work.

655. Under what power?—I fancy a mandamus would be to compel them to do it.

656. Is there any duty imposed upon them to light and watch a district within a limited time?—No.

657. Do you know that a mandamus cannot be obtained except they neglect a statutable duty?—I think it would be held to be a statutable duty if they neglected to light and watch a portion of the borough requiring it.

658. Can you tell me the time fixed to make the neglect of a statutable duty determinable?—There is no time fixed.

659. Are there private lamps already in this district?—I don't know of any.

660. When were you last in the district for the purpose of inspecting it?—I was there the other day.

661. What other day?—Within the present week—Monday.

662. Who was with you?—The Mayor.

663. Any one else?—Yes, one of the borough surveyor's assistants, Mr. Wakeford.

664. Do you know that there is not a large terrace of houses in the district, except at the extreme end at Balmore, about two and a half miles from the town?—I only know one—Osborne Park, near Balmore; but there are buildings rapidly going on.

665. Do you know of any terrace except at the extreme end of Balmore, about two and a half miles from the city?—I know of no large houses, but there are some small houses in terraces.

666. Can you tell me of any small houses in terraces?—I think there are some at Malorne Park—eight small houses.

667. Where at Malorne Park?—I think there are eight small houses there.

668. Where are they?—I have not got a map here.

669. Where are those small houses, can you tell me?—If you give me a map I can tell you. There is a row of small houses there near the railway.

670. Do you know that they are workers' houses, for the railway people?—Very likely they are.

671. You cannot tell how long they are there?—I cannot. No doubt a considerable time, but I cannot tell how long.

672. Do you know how many houses there are in Balmore?—There is one terrace in which, I think, there are eight houses.

673. Is it eight or six?—I am not sure.

674. That is two and a half miles from the town, and at the extreme end of the district proposed to be included?—I suppose so.

675. Will you tell me of any new houses that you know have been built there within recent times?—I am under the impression that there are now about ten in Marlborough Park.

676. Are you sure there are ten houses in Marlborough Park?—That is my recollection. I do not profess to give you the exact numbers.

677. Did you inspect them?—I did, but I didn't count them.

678. When did you inspect them?—Some time ago.

679. Are they built in villas?—Yes.

680. Is there one within fifty yards of the public road?—I don't know.

681. Have you ever heard that the leases prevent them from being built within fifty yards of the road?—I have not.

682. Do you also know that the leases compel the lessee to expend £1,000 on one of these houses?—I do not. I have seen one of the agreements for leases in which the time is limited as to the use of the houses for trade purposes—that within twenty years they are not to be used for any trade purpose.

683. Who was that from?—From the Messrs. Workman. It was a general form of printed agreement for leases by Messrs. Workman, who have taken a large portion of the ground in that neighbourhood, to let it for building purposes.

684. Do you know that Mr. Workman has a good many of those leases?—I do not; I only know of one, and that was not the lease itself, but the agreement for the lease.

685. How many shops are there in that district?—I don't know.

686. Are there more than two shops?—I didn't count them.

687. Do you know there is a burial-ground there?—Yes.

688. In that district and close to it?—Yes.

689. And you propose to charge them with a

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burial rate nevertheless?—Yes; if a burial rate, be-  
 comes necessary.

690. How many public-houses are there in the dis-  
 trict?—I didn't count them, nor did I call at any  
 of them.

691. Do you consider them necessary?—I don't  
 know.

692. Do you know that there is only one public-  
 house in the district?—I do not.

693. At present the Parliamentary and Municipal  
 Boundary are the same?—Yes.

694. And if you extended the Municipal Boundary  
 the result would be that people would lose their votes  
 for the county?—That does not follow.

695. CHAIRMAN.—We have nothing today to think.

696. Mr. Webb (in witness).—At present they are  
 extensions, and you propose to extend the borough  
 boundary further out?—Yes.

697. Is there not a large part of the present  
 borough, without extension, that is not built upon?—  
 There are some portions.

698. What is the present rate of the increase of  
 new houses in the old part of the borough?—Taking it  
 roughly, I should say from 1,250 to 1,500 a year.

699. Do you mean houses?—Yes.

700. Is there room for that to go on indefinitely?  
 —It may go on for years; there is a great deal of  
 ground to be filled up.

701. Do you know the amount of building ground  
 in the area proposed to be taken in?—I do not.

702. As I understand, the reason why you think  
 this district of Malton should be added is because the  
 people get the benefit of the town and pay no taxes?—  
 I didn't say that.

703. Do you say that they are substantially portions  
 of the borough, and ought to be subject to the same  
 laws as the rest of the borough?—Yes.

704. Is that one of the reasons that they do not pay  
 taxes and get the benefit of the town?—I don't know.

705. Then that is the idea—that you simply want  
 to tax them because they are supposed to derive benefit  
 from the town?—We never considered that. We do  
 not propose to bring in any persons for the mere pur-  
 pose of taxing them—for the mere purpose of making  
 them pay taxes. On the contrary, we have left out  
 a number of parties because the only object in their  
 cases of bringing them in would be to make them pay  
 a share of the taxes.

706. Do you know that they pay four times as much  
 taxation for their property in the town?—Some of  
 them, no doubt, are large categories in the town.

707. And pay rates for warehouses and their other  
 places of business?—Yes; and some of them do not  
 pay town rates.

708. And you think that the same building regula-  
 tions which are necessary for streets should be ex-  
 tended to villas?—The same regulations for buildings,  
 wherever buildings are put up, should apply. I  
 think the buildings should be under the same regula-  
 tions.

709. And that the same regulations should apply  
 with regard to the formation of new streets?—Yes,  
 wherever you have streets made.

710. The streets should be made the same in one  
 district as another?—That does not follow at all.

711. Do you know Windsor-avenue?—I do.

712. Have you not made that with flagged path-  
 ways?—Yes.

713. What has the cost been?—Considerable; fully  
 a couple of thousand pounds.

714. Do you know that the owners of property  
 there have bitterly complained of applying to the mak-  
 ing of a road there the same principles that you would  
 apply to making a public road in the town?—Yes; some  
 of them have.

715. Did you make a most expensive road, and one  
 unnecessary for the purposes of the district?—They  
 wanted some alteration in the plan and cost of the  
 road, and said it was too expensive; others of them  
 were not of that opinion.

716. Do you know a single inhabitant of the district  
 of Malton who is in favour of being added to the  
 municipal area?—I have not spoken to them on the  
 subject, and therefore I don't know.

717. CHAIRMAN.—Are you able to say, of your own  
 knowledge, taking an area of, say, a mile outside the  
 present boundary, the land as land, and the houses as  
 houses, derive an exceptional benefit from their prox-  
 imity to the town?—They certainly do.

718. The owners and occupiers of land and houses  
 within the area I have referred to see the town largely,  
 I suppose, and the streets of the town?—Yes, they do.

719. And they take their supplies from the town?  
 —Yes, certainly.

720. And get their coal and manure and everything  
 of that sort from the town?—That is so.

721. And you consider it a great advantage to have  
 the benefit of the lighting and cleansing of the town  
 that they use so largely?—Most undoubtedly.

722. And those people enjoy all these benefits  
 when they come into the town for the purpose of  
 going to the places of amusement, places of worship,  
 and so on?—Yes, certainly.

723. Mr. Ross.—Now take, Mr. Black, our hundred  
 yards beyond that one-mile area to which the Chairman  
 has alluded, do not the people outside that, and up to  
 within one hundred yards of it, derive benefit from  
 their proximity to the town?—Certainly they do.

724. So that it is only a question of degree, but  
 there is no doubt it is an imperceptible degree between  
 the people on one side of the boundary and those on  
 the other, if it is a question of a rate in aid of the  
 town?—It is a question of degree, but the line must  
 be drawn somewhere.

Cross-examined by Mr. M'Hardie.

725. I suppose you know that this Fortwilliam  
 district and Chichester Park is occupied purely by  
 villa residences?—At present?

726. Yes!—I have heard of a plan for five streets  
 to be laid out, either in Chichester Park or adjoining  
 it, within a month or so.

727. I have not asked you what schemes are in  
 progress, but I want to know whether or not that  
 district is at present occupied purely by villa residences?  
 —Yes.

728. Is there anything there in the nature of a  
 street?—No; but there is in Fortwilliam Park an  
 avenue with gates upon it.

729. Are you aware that these gates are locked at  
 night?—Indeed, I am, for on one or two occasions I  
 found myself locked in.

730. Do you know that that is a private avenue,  
 the same as the avenue leading up to your own house?  
 —It is a private avenue leading up to and across to  
 a great many houses.

731. Is there in any portion of Fortwilliam Park,  
 any roadway upon it that is not purely a private road?  
 —A private avenue common to a great many people  
 is there.

732. How many?—I don't know.

733. Do you know how many villas there are in  
 Fortwilliam Park?—I do not.

734. Would you say there are thirty?—That would  
 be the outside of the number of them.

735. Do you know, that connected with each villa,  
 there is a considerable extent of land?—I do not.

736. A quantity of land, varying from four acres  
 up to twelve?—I presume there is.

737. As to these villas, what do you propose to  
 do with Fortwilliam Park, on bringing it into the  
 borough? Is there any improved sanitary arrange-  
 ments you can confer on them?—I think the probability  
 is that a large number of houses may be built there,  
 and they will require supervision and control.

738. You wish to bring them under the clauses of  
 the Act of 1873, for regulating the formation of  
 streets?—Yes.

739. Don't you know, that the whole scope and

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intention of those clauses, is to deal with what we ordinarily know as streets?—No; I think it is to deal with any buildings in the borough, whether in streets or not.

740. Would you not consider then, that the whole character of Fortwilliam Park would be completely altered, by the application of those clauses?—Certainly not.

741. You think not?—Certainly not in any way.

742. Would you have power to make new roads?—No.

743. New streets?—No.

744. Would you not have power to compel them to make new streets?—Certainly not; those avenues that have not been open to the public, are not streets.

745. Will that avenue be open to the public?—Not as long as they keep the gates up, at the end of it, and keep those gates locked. It will be a private avenue.

746. Supposing, as a matter of fact, the landlord has contracted to keep that avenue and to construct it, will the borough have that road under its control?—They will not, as long as the gates are up at it.

747. How can you watch and light a place, if the gates on it are locked?—We would simply light up to the gates.

748. Would you charge them?—If they are within the lighted and watched district, they would be charged with the police rate.

749. Although you admit it is a private avenue, they would have to pay for what they do not enjoy?—If they choose to close the gates, and keep them there, and do not make it the same as any other part of the borough, that is their fault. There are plenty of places, within the present lighted and watched district, that are situated in the same way.

750. If the owners of private property choose to surrender the rights of private property, you would give them the benefits for which they are already paying?—We do not light private avenues.

751. Would not they be charged for it?—No; they would be charged for the lighting of the public streets, leading to those private avenues.

752. Supposing those streets were made public, and you came to a resolution to light and watch them, how would you light and watch them, with the gates locked?—The question involves an absurdity. The Corporation have not any power to make streets on private property, unless they get the power by an Act of Parliament.

753. Have you not told me that you intend to apply the provisions of the Act of 1878?—Certainly; but those provisions do not involve interference with private property.

754. Suppose you enter Fortwilliam Park during the day, how do you propose to avoid dealing with it the same as any other portion of the borough?—It will be dealt with the same as any other portion of the borough, if it is included within the borough. If you look at the definition of the word "street," in the Act of 1878, I think you will find out what street means. That in order to create a street a public street, it must be dedicated to the public by the owners of property, but as long as the gates are kept on it, it is a private avenue, and it is not a street within the meaning of the Act, and it could not be dealt with by the Corporation as such.

755. Then you would compel the residents there to pay taxes by simply putting a lamp as far as their gate?—We would simply light up the streets—light to the entrance, and tax them.

756. You propose also that they should be subject to the sanitary taxes?—Certainly.

757. Are you aware that a most complete and thoroughly efficient drain has been made by the owner of the property?—I am not.

758. Is that a fact?—Yes; it is possible.

759. Don't you know, as a matter of fact, that the

sanitary arrangements of Fortwilliam Park are complete at the present time?—I know nothing as to the nature of sanitary matters there.

760. Then the result of its not being open to the public is, that the inhabitants are excluded from all the beneficent control of the Corporation; but yet they have to pay the taxes?—Certainly not; they exclude themselves from having the benefit of the lamps up to their doors.

761. Supposing the majority of the residents think themselves, or they appear to do, that they do not want the Town Council, and yet the Town Council have the district assessed, what would the result be then?—I expect the result would be that when the borough was extended, the gates would be taken away, and then they would get the lighting.

762. And then if the gates were taken away, the Town Council would exercise the same control at Fortwilliam Park as over the central districts of the town?—Precisely the same, though that does not mean joining the streets with squares "sets" like Donegall-street or Corn-market.

763. Am I right in supposing that the whole weight of the question is based on the probability of the gates being taken off?—Certainly not; that is altogether a matter of discretion with the parties.

764. Supposing you are satisfied that those gates would not be taken off, and the Town Council excluded, would you propose to bring them in then?—Most unhesitatingly.

765. For what purposes?—For the purposes of sewers and the building regulations.

766. Any other?—No other.

767. Your building regulations could not be enforced as long as the gates were kept locked?—That is a total fallacy on the part of Mr. McMorris.

768. To what extent would you have power over the building regulations in the different parts of this property?—If you refer to the Building Act, you will be able to see that.

769. CHAIRMAN.—Any one building must send in a plan to the borough surveyor, and that regulation will apply, whether the gates are on or off?—Yes.

770. Mr. McMorris.—(To witness).—Are you aware whether any one of the magnificent villas erected in that park, is defective in any way, in a sanitary point of view?—I am not.

771. Have you heard any complaint respecting them?—I am sorry to say I have.

772. Can you tell me what is the estimated cost of the main drainage scheme?—It is not something like £500,000?—Mr. Montgomery will give you the particulars of that scheme.

773. Would not those residents be obliged to pay their share of the lamplines now placed upon the town for the formation of new streets and main drainages?—Certainly; and I can see no hardship in their doing so.

774. That is your opinion?—Yes.

775. Upon what grounds?—That they are substantially portion of the borough, and should contribute to its liabilities.

776. Why are they substantially portion of the borough?—Because they immediately adjoin it, although at present outside it.

777. Upon what special ground does the property of residents, built out in a rural district, come to be necessarily and substantially portion of the borough?—I think they are almost a continuation of the present borough.

778. Is there anyone else better aware than you are that those villas were built by people who intended them to be country residences?—I don't know at all about that.

779. I would ask you what you believe?—I don't know anything as to what the intentions of the builders were.

780. CHAIRMAN.—Take all the districts that you propose to bring in—is there any one that should be

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brought in so much. In your opinion, as Fortwilliam Park?—Indeed, I don't think there is any one of the districts that requires it more.

781. As regards the land and the houses—the house is valued at so much, and the land valued separately?—That is so. The police rate will only be charged upon the house itself, and not upon the land.

782. Do you think it would be of advantage to the people living in Fortwilliam Park if, instead of having their gates locked at night, the police were at liberty to walk up that avenue and to look after the protection of the houses, as they do in the rest of the borough?—I think so.

783. Do you think, if a fire occurred in that locality, it would be an advantage to have the gates open and the fire brigade handy to give assistance?—I think so.

784. Mr. McNeill.—Are the people living there in that locality people of average intelligence?—There are some very intelligent people there.

785. Are you aware that they have held a meeting and condemned the proposed sanitation scheme as a thoroughly bad one?—Yes, I have seen a report of their proceedings in the newspapers, and I have no doubt that they passed a resolution as stated. And I may as well mention that a most ingenious statement was made at the meeting to induce the people to believe in the injustice of the proposal of the Town Council. They put down the sewerage rate on one side of the account only, with the view of showing the additional taxation that would result if the Corporation succeeded in having these districts annexed to the borough.

786. You gave me only one substantial reason for entering on Fortwilliam Park, and that was as to the sanitary arrangements. Are you not aware of the fact that there are sanitary arrangements already there in perfect working order?—I am not; but it is perfectly possible that there may be, for all I know to the contrary.

787. Supposing there are already satisfactory sanitary arrangements, the reason that you have now given goes by the board?—I don't think so.

788. If they already have perfect sanitary arrangements what do they want with yours?—It does not follow that it will continue to be so.

789. Then the sanitary arrangements you refer to are, that you want to come in and keep the sanitary arrangements in order?—We want to include the sanitary arrangements of that district within the sanitary arrangements of the borough.

790. Do you think that people who go to the expense of constructing sanitary works are not as likely to keep them in order as the Town Council would be?—I don't know about that.

791. As to Chickadee Park, are you aware that there is a sewer there into which all the sewage water is discharged from the houses?—I am not.

792. Supposing that there is, what reason would you have for including Chickadee Park in your sanitary operations?—Only the first general principle that I have referred to. Notwithstanding the fact that there might be the most perfect sewerage in that district, I think it should be included in the borough.

793. If there be perfect sanitary arrangements, what other reason is there for annexing that district?—For the regulation of the buildings, and for the carrying out of the streets.

794. And are not the plans attended to properly, and the streets made as regularly as in the borough?—There are no plans there, because we have no authority in the district.

795. I suppose you are familiar with the district?—Not particularly, but I have seen it.

796. Is it not one of the most charming places in the suburbs?—There is a most beautiful view there, and it is a charming and most desirable site for building—indeed so desirable is it that I believe building will be rapidly proceeded with there; and I have

heard within the last few days of a plan for Greenfield to be sold out upon it.

797. Supposing there is a sewer at Chickadee Park, going down within twelve yards of your drainage system which terminates at the Bootermill Loading, what necessity is there for your entering there as to sanitary arrangements are concerned?—I think you would require to see where that sewerage is discharged.

798. Are you aware that under the recent sanitary Act there is power for one sanitary authority to take use of the sewer of the adjoining sanitary authority?—Yes, upon certain terms.

799. Are you aware that the sewer at Chickadee Park goes within twelve yards of the sewer of the Town Council?—I am not; may be it does.

800. You have heard it said that the people living within a certain area of the town of Belfast should contribute to the rates?—There are different opinions on the subject. I don't go in for that opinion. I don't propose to bring in any persons for the mere purpose of taxing them.

801. Do you think that people who derive benefits from the municipal organization of Belfast should contribute towards the taxation?—As a general principle they should, but there must be some exceptions to every general principle.

802. Don't you think on that principle that you could include the people of Curriehope, Coulson, and Newtownards?—I don't think so at all.

803. Do you think that the people who use the roads should pay the taxes?—I think I have contended so.

804. You stated, Mr. Black, that the majority of the ratepayers in the borough were in favour of the extension?—I think so still.

805. Can you give us any reason for that conclusion?—Simply from my conversations with many of them.

806. Has there been any opportunity for the ratepayers of Belfast to express an opinion on the subject?—Except through their representatives in the Corporation I do not know of any.

807. Was there any means given them of knowing what the Town Council were doing?—I think so.

808. In what way?—The map has been exhibited in the Town Hall, and open to the inspection of the public for months.

809. Was there notice given to the public that it was there?—I think the whole of the public were aware of it.

810. In what newspaper was it advertised, or in what form of placard?—I don't think it was either placarded or advertised in a newspaper. Several parties—gentlemen in the room have opposed to the extension—came and examined the map and took notes, and anyone that came in had full permission to examine it and take what notes they pleased, and it was perfectly open to the public.

811. Was it supposed that the members of the Town Council were to go about like so many town clock, with bells in their hands, and announce the fact?—Certainly not. The gentlemen from all the districts were perfectly aware of it, and had opportunities of examining it whenever they chose.

812. But how would the public know?—It was a matter of general notoriety.

813. Don't you think that everything has been done so far as not doing is concerned to keep the matter secret?—I think not.

814. By what of opinion?—I think not.

815. Supposing now that the people of the district of Fortwilliam came to the conclusion that they would commit themselves to the tender services of the Town Council and opened their gates, would the Town Council then take charge of the road?—Yes; assuming that the gates were taken away it would then become a thoroughfare.

816. Supposing that every resident there has a covenant in his grant that the owner of the property will

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keep the road in order and repair, in the event of the Council taking possession he is relieved of that burden?—Yes, certainly.

817. Who then becomes responsible for the keeping of the roads in order?—The town.

818. And the occupiers there contribute a portion of the tax?—Yes.

819. So that it is to the interest of the owner of the property who has covenanted with the occupier of the house to throw the property, so far as the road is concerned, over to the Town Council?—It is perfectly optional.

820. Mr. COTTON.—Can you tell me, north of your proposed extension, up as far as Greenwold, where the electoral division boundary comes in, is that all built on in the same way?—No, it is not.

Cross-examined by Mr. Bates.

821. Will you kindly tell me what class of streets the Corporation have power now to order to be made and completed?—If you take the Act of 1845 as amended by the Act of 1878 you will find the definition of "street" in the 6th section of that Act—the Act of 1878.

822. It applies then equally to streets and lanes that have been laid out prior to the passing of the Act of 1878, as if they had been laid out and formed subsequent to the passing of the Act?—Yes.

823. Then in point of fact that includes any public highways?—Yes, I think so.

824. Are you aware of the fact that the entire of Stranddown is largely interspersed with streets and lanes of that description?—I think it was contended here yesterday that there were very few streets in it.

825. Are you aware that in the entire of the Stranddown district the villas have been built adjoining country lanes?—I am sorry to say that in a number of instances they have been.

826. You know Sydenhale villas?—It has been mostly at night when I have been there.

827. You are surely aware that the entire of the roads upon the property which have been built on in that district, with the exception of one or two, do not belong to the Grand Jury?—Yes. I was over one road there the other day, and I had to get off the car, as I was afraid the springs might be broken on account of the frightful condition of the road.

828. As I understand it, it would be competent for the Corporation to order those streets to be paved and flagged?—It would be competent for the Corporation to have those streets completed, and I think it would be of great advantage to the inhabitants if they did so.

829. It would be in the power of the Corporation to order those lanes and streets to be paved, flagged, and otherwise completed?—It would, subject, of course, to the right of appeal.

830. Are you aware that those lanes and streets would extend to such an extent, adjoining property of this class, that it would be utterly ruinous to the owners of that property?—I am not aware of any such matter. I think that if a person has property adjoining a road, and that road is in a very bad state, that he should contribute to the expense of putting that road in order.

831. Are you aware that by the law the lessees are bound to keep up the streets themselves?—To which property do you refer?

832. To Sir Thomas McClure's?—Well, as I told a lane under Sir Thomas on that property, I should be in a position to speak of it. I am bound in my own case to keep up one half of the road adjoining my property until taken charge of by the county or other authority. Well, that covenant has not been observed by a great many, and, unfortunately, I know of one road which at present is totally impassable. No one but Sir Thomas has the power of enforcing the covenant.

833. Therefore it was never contemplated that that district should be ever burdened with the expense of flagging or paving?—I don't know about that.

834. I perceive that a great many of those roads are not shown on this Ordnance map?—You will see a number of roads coloured in red; those are new roads laid out and only partly formed.

835. Do you see on the map those roads marked red or brown?—I do.

836. Are you aware that those roads are simply country lanes for the accommodation of the villa residences along that district?—I think they are public roads, but not repaved by the county, and in a most disgraceful state many of them are at the present time.

837. Are you aware that when the county had these the county could not order them to be paved and flagged in the manner that the Town Council can?—I think the county could do it. The worst of it is, however, that the county do it at the public expense and do not make the owners of the property benefited pay their contribution.

838. It is competent for the Corporation, in the event of them taking in this district, it is competent for them to order those lanes to be paved and flagged, the same as any of the other streets or lanes in the town?—You are speaking of them as lanes; they are roads, from thirty to fifty feet wide.

839. It is competent for the Corporation, in the event of them taking in this district, to order those lanes or roads, as you call them, to be paved and flagged?—It would be competent for the Corporation to do that, and I think it would be a great advantage to the owners of property and the residents if they could do so now, for it will never be done as long as it remains optional with the people themselves.

840. Would it be competent for the Town Council to order a highway—say the Newcomen-road if the boundary was extended—would it be competent for them to order that to be flagged at the expense of the owners?—I think not.

841. Did you not state that the word street applies to highways, and are not these highways?—I think those are county roads, and the Act would not apply to them.

842. Are not these roads highways within the meaning of the Act?—Yes; but they have been already completed, and the powers of the Act of 1878 would not apply to them.

843. That is another question; but you have stated that the powers of the Act of 1878 apply to highways—to any highway. You know that a highway cannot become a highway unless it is a highway under the control of the Grand Jury?—Those are under the control of the Grand Jury, and consequently are highways.

844. Those highways would come under the powers of this Act of 1878, and you could order them to be made?—Certainly not.

845. I ask you what sort of roads you refer to as those which you can order to be paved and flagged—you have referred to the word highway in the interpretation clause?—Any highway, either adopted by a Grand Jury or by the Corporation, cannot be ordered to be made under the sections of the Act.

846. Yours would be equal to the powers of the Grand Jury in reference to those streets altogether?—Certainly, but we would take over the streets with all the liabilities of the Grand Jury.

847. That is another question. I am dealing with you as between yourself and the owners of property?—We would have no power to order any of those highways to be made or completed at the expense of the owners of the property.

848. Do I understand you to alter your answer, then?—I do not alter the answer to the question in the slightest degree. It was perfectly correct.

849. CHAIRMAN.—As I understand it, what Mr. Black says is this: if they are brought into the existing boundary, any highway in that district that has

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been made by the Grand Jury, it is brought into and maintained from that time by the Corporation?—  
Presumably.

850. Mr. Bates.—That is an arrangement with the Grand Jury with which we have nothing to do. All I want to know is—what class of streets, lanes, or roads the Corporation can order to be made, as regards the owners of property?—The streets or highways that have not been adopted by any constituted authority, such as the Grand Jury.

851. There is no such definition as that in the Act. Are you aware that almost the entire of the district is held under the lease of Sir Thomas McClure, Mr. Cleland, and Mr. Kerr's property, I understand.—

852. CHAIRMAN.—Is that Ballymagart?—Yes, that is Mr. Kerr's property.

853. Because we have a statement in with regard to that. We have got a memorial from Messrs. Crawford and Lockhart, acting as solicitors for Mr. Kerr, objecting strongly to have his property brought within the boundary. (See Appendix No. 4.)

854. Mr. Bates.—You are aware, I suppose, that in the leases of those properties to sales and businesses are all excluded?—Well, I am not. I believe the general frame of the lease says so, but there are some trades upon it. I think you had affidavits made in township proceedings showing the number of public-houses on the property.

855. Are you aware of this, that with the exception of a piece of property of Messrs. Boyd's, next the Converter, the agreement that Sir Thomas McClure and Mr. Cleland insist on prohibiting the use of the ground for any trade or business?—I do not think the leases do, because if so, the provision has been violated, as there are shops upon that property.

856. Of what description?—There is the public-house, kept by a man named Cleland, and then there is a main named Howell, who had a shop above that.

857. Mr. Cleland's public-house is the only public-house, with the exception of another public-house in the locality?—I am not aware.

858. Are you aware that Cleland's lease is not held under that property—that Mr. Cleland's lease is a very old lease?—Whether that is so or not on the property running up the Strandtown-road, there was a spirit grocer's license upon it and a public-house.

859. You have stated your exceptions; are you aware that the only exceptions to what I have stated are in the case of what might be called Strandtown people, and that is a little street on the property of Messrs. Boyd?—Very probably that is so, but we don't know how long that may continue.

860. Are you aware that all this district is nothing save villa residences—a purely villa district?—I don't say so at all; on the contrary, I saw workers' houses, I believe, in several places.

861. It is correctly stated here in the memorial the Corporation presented against the Strandtown township.—

“In the application made to your honorable Board the applicants speak of the proposed township as including the town of Strandtown. Your petitioners, however, show that, as a matter of fact, no such town exists; there is a townland called Strandtown, but nothing in it so which, by any possibility, the term ‘town’ can be properly applied.”

Is that so?—That is quite right.

862. And is this correct—

“ . . . it is the fact that the proposed township consists of a suburban district wherein are contained many villa residences, but which is not in any sense a town?—

That is strictly true.

863. Are you not aware that one of the reasons why the Corporation went in last year for the Act—that of 1875—was it not in order to get more stringent powers in reference to the regulation of buildings, and the making of streets?—One of the reasons that

they went in for that Act was that they required an amendment of the law with reference to the building regulations, matters of sewerage, and things of that sort.

864. Was it not in reference to the low-lying districts of Belfast, over which the Corporation had no proper control?—The Act applies to the whole borough, and not to any particular part of it.

865. Then, am I to understand that the intention of the Corporation is that a villa district, such as this, would probably come under the requirements and regulations, and rules, as contained in that Act of 1875?—I think so; I see no hardship in it.

Cross-examined by Mr. McFarland.

866. If any part of the county of Down is included in the borough, they intend to have a provision in the Act to the contrary?—I think so. I am quite satisfied that they should be so paid.

867. CHAIRMAN.—I suppose, on a matter of course, the county-at-large charges will be paid the same as heretofore?—I am quite prepared to say that the principle of the Act of 1868 should apply.

868. Mr. McFarland.—I wish to have this statement put upon the notes. I wish to put before the Commissioners the Newry Improvement and Water Act of 1871—in section 16 it enables you to give in something more than you would give as otherwise.

869. Witness.—We think we give you quite enough.

870. Mr. McFarland.—I only wish to point out that we will endeavour to get what we can. I also wish to mention that I appear on behalf of Mr. Robert Edmond Ward, owner in fee of a part of Ballymagart, who is also opposed to having his property brought within the municipal area. (See Appendix No. 3.)

Cross-examined by Mr. Orr.

871. I wish to ask you a few questions in the interests of the residents and taxpayers of the barony of Upper Belfast. Would the proposed extension affect the taxpayers—would it increase or diminish the cost to them?—I have not considered how it would affect them; the same principle, we think, should apply to them as embodied in the Act of 1868.

872. What effect had the Act of 1868 on the taxpayers of the barony?—I think they have had to pay a higher county cess than previously, for this reason—that previous to the Act of 1868, the town proper had been contributing a very large amount to the repair of the baronial roads, which we got rid of in 1863, and have since maintained our own streets and roads.

873. You propose to take in now the district that is most valuable?—I dare say it is; but then again, I think, the most expensive part of the roads to keep up.

874. Are you able to prove that?—I am not.

875. Because, as I understand, you do not propose to do so; but the result would be that if you take away the district that bears the higher valuation, and do not take a corresponding part of the road, the cess would become higher on the rest of the barony—that would be the only result—an increase of the baronial charges?—I am not able to say.

876. Is it not a fact, Mr. Black, that you have included the roads that are not very expensive to keep up?—I am aware that we have not acted upon that principle; that has not been an element in my way.

877. Why did you not include the Hammasstown-road?—Because there are no buildings going on there, nor is the ground there likely to be built on at all. There is a portion adjoining the cemetery that is likely to be built upon, and the plan for building on it is in, at the present time; but I think the land adjoining that is purely agricultural. There are a number of buildings on the Cranlin-road.



878. Why don't you propose to include them?—Because the ground there is not likely to be built upon. There is no extension of buildings in that direction.

879. You said that Fortification Park was only *villas*?—Yes, but it is likely to be built upon.

880. Nor do you think there will be any building at Ardoyne?—No.

881. Nor at Ligoniel?—Well, there are some buildings in that direction.

882. Our contention is that if those roads were taken in—they are very lilly roads, and very expensive

to keep up—and if the boundary could be extended upon that side the case would be very much about the same on the horizontal easements as it is at present. If they take the roads most favorable to themselves, and exclude the expensive roads, it would be most unsatisfactory to the easementers. Is the Ligoniel district in great need of sanitary improvements?—It is so far outside the borough that I cannot say definitely. I see from a report of a meeting of the Guardians that there is some question there about sanitary requirements, but I only know that by report.

Examined.  
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Mr. S. Black.

### BELFAST—THIRD DAY.—AUGUST 5TH, 1879.

Aug. 5, 1879.

Before Messrs. W. A. EXHAM, Q.C., (Chairman); C. P. COTTON, C.E.; and H. A. ROBINSON.

Evidence of Mr. SAMUEL BLACK, Town Clerk, continued.

Mr. S. Black.

Cross-examined by Mr. Overend.

883. I wish to ask you a few questions on behalf of Sir Thomas McChesne. What injury do you say Belfast sustains from the Strandtown district being outside the boundary?—I didn't say that it sustained any injury at the present time.

884. We take it that Belfast does not now sustain any injury?—I don't know of any injury it sustains at present from its being outside the boundary.

885. Any prospective injury?—I think it will prospectively.

886. How far distant is the prospect?—I cannot fix the limit.

887. Well, take it now that Belfast at present sustains no injury, what is the nature of the prospective injury?—I think Belfast prospectively will sustain great injury if buildings are allowed to be put up at Strandtown without control.

888. Is that the only point?—Oh no; not by any means the only one; it is one of them.

889. What are the other points?—The regulation of streets and sewers.

890. Is that all?—I don't recollect any others.

891. You recollect the memorial of the Town Council opposing the formation of the Strandtown township?—I have a general recollection of it.

892. "There is a township called Strandtown, but there is nothing in it to which by any possibility the term 'town' could be properly applied." That is correct?—I think so; perfectly so, and the Court of Queen's Bench have so decided.

893. "It is a district which is not in any sense a town." Is that correct?—I think so; it is a suburban district.

894. And in no sense a town?—In no sense a town.

895. Are there streets and lanes in that district?—Yes, several.

896. They are in no sense like the streets and lanes in town?—I cannot say that.

897. But it follows?—It does not follow at all, *ex parte* me.

898. It is in no sense a town?—No; not within the meaning of the Towns Improvement Act, under which the application was made.

899. That is not the point in the memorial; it does not affect the point at all about the population. You say that, as a matter of fact, no such town exists. The memorial says—

"There is a township called Strandtown, but there is nothing in it to which by any possibility the term 'town' can be properly applied?"—

I think so—I quite agree with that statement.

900. Do you mean to say that that refers to the extent of the population?—No. If you refer to the section of the Towns Improvement Act referred to,

you will find that reference is made to a market town.

901. You don't say anything about a market town?—I know that; there is no such town in Strandtown.

902. You say it is a district that is not in any sense a town?—Very well; and I still adhere to that statement.

903. Is not that equivalent to saying that it is in no sense a town?—I think it is in no sense a town; it is a suburban district, virtually a portion of the borough of Belfast, and, practically, a portion of the town of Belfast.

904. If it is a portion of the town, I think, in some sense, it is a town?—You may; but I don't think it is.

905. Are the lanes, roads, and avenues in this Strandtown district in any sense different from the streets and lanes of Belfast?—Yes.

906. Are they not very different?—They are, for they are not made.

907. Is that the only difference?—And they are not several. They are very different indeed.

908. No houses upon them?—There are houses in many of them, a great many of them.

909. But are there not many lanes and avenues upon which there are no houses?—Well, there may be some, but I don't know them.

910. About how many miles of avenues are there without a single house upon them?—I don't know any at all.

911. Did you take any pains to calculate?—Indeed I did not. I know the district well, and I have driven over it often, and I don't know any such.

912. It is not thickly populated, I suppose?—On the contrary, it is a thickly populated place for a suburban district; and if you had the pleasure of going over it now or living in it, you would find that that is so.

913. How many acres are there in that district?—I don't know, indeed, how many.

914. Would you be surprised to hear that there are 850 upon it?—Not at all.

915. Exclusive of such lands?—Not at all.

916. Are there any great differences between the lanes and avenues in this proposed district and the streets and lanes of Belfast?—I really don't know what you call lanes and avenues. There are the thoroughfares in the district—a large number of them—which are not formed into streets, which are not continuously built upon as streets, but which have houses approached by them; and yet the lanes and roads are in such a state that it is almost impossible for the inhabitants to drive over them.

917. Are not those streets within the meaning of the Town Act?—I think they would be.

918. Are you going to apply to those streets and

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avenues in the Strandtown district the laws and by-laws shall apply to the streets of Belfast.—Certainly.

917. So that the corners of those avenues in the Strandtown district would be subject to the same penalties—I don't call them avenues at all. The streets and roads would be subject to the same rules and regulations as any other portion of the borough of Belfast, should the Corporation succeed in getting the extension.

918. Is there a single terrace in the whole of Strandtown district but one of eight or nine houses?—I don't know what you call a terrace. There are several continuous rows of houses.

919. How many?—I have counted them to a considerable number. If you go along the Conservator, you will find upon the Bloomfield property several continuous rows of houses, and apparently streets formed.

920. How many houses?—I have not counted them; but if you go up the Strandtown road you will find rows of houses built there, back to back, built in street form, with paving opposite to these, and that is at the place facing the county road.

921. You know the district of Belmont?—I do.

922. There are seventy acres of demesne there?—I don't know the quantity of demesne.

923. It is of no consequence, I suppose?—I don't know the quantity of demesne at all.

924. And thirty-two acres of farms attached to that demesne, making 102 in all?—I don't know the quantity. If it is Sir Thomas McClellan's of Belmont that you are referring to, I have been there, and there is nothing like 102 acres there at all.

925. Are you aware that in your proposed extension there is a farm of sixty acres belonging to Mrs. Cornbe?—I am not. Mrs. Cornbe's is one of the best-dressed residences in the neighbourhood of Belfast that I know of. I have been informed that the house itself, which you call a farmhouse, cost £15,000 to build.

926. But it is a house upon sixty acres of land?—There is a considerable quantity of land, no doubt, with a private residence upon it.

927. Do you know Mrs. Freeman's farm of thirty-nine acres?—Yes.

928. Are you aware that part of the extension, as proposed by the Town Council, includes that district?—I am aware that the district is included in the proposed extension.

929. And that is purely and simply a farm?—I think it is more than a farm, because I think it would be building ground eventually.

930. Is about how many years hence?—I think it has been offered for building purposes before now.

931. Unless you know, I do not think you should make any statement on the subject?—I have been told by parties that it was a very safe boundary.

932. Do you know Mr. James Bruce's property?—Yes; and I know Mr. Dinneen's, close to that, upon which a number of residences have been built.

933. Do you know Mr. Price's farm of forty acres?—I do not.

934. Who made the green line round it on the map?—The borough surveyor.

935. Did you give him instructions to do so?—No; he and I discussed the matter.

936. Did you give Mr. Montgomery instructions to do that?—None whatever.

937. Is Mr. Bruce's farm further away than Mr. Craig's?—I don't know.

938. Why is Mr. Bruce's left out and Mr. Craig's taken in?

939. CHAIRMAN.—I don't think we need go into that. Mr. Craig's and Mr. Dickson's appear to have been left out, and I may say that, if the rest is brought in, I see no reason, because we have a well-defined townland boundary, to bring them in.

940. Mr. O'Connell (to witness).—Why did you leave out the road that is there. Why did you omit taking in the county road there, and making such a boundary as that at Mr. McCrellan's?

941. CHAIRMAN.—I would suggest that it would be better to allow Mr. Montgomery to answer this. Mr. Montgomery may have done that for the purpose of following the townland boundary. A road sometimes is a very good boundary; but the townland boundary is the one to follow if you can do so.

942. Witness.—I hold that a road is a most injudicious boundary for the borough. We have one case of it at present—the county is the authority on one side, and we are the authority upon the other, and the inconvenience is very great indeed.

943. Mr. O'Connell (to witness).—The by-laws have been made for the town, and were made to suit the circumstances of the town?—What by-laws do you refer to?

944. The town bye-laws?—What town bye-laws?

945. Have you some?—We have bye-laws for slaughter-houses; we have bye-laws for markets, and we have bye-laws for parks.

946. Any by-laws for streets?—None whatever.

947. Are they governed by statute?—They are governed by the statutes.

948. You have no need of bye-laws under the Act of 1878?—We have not found them necessary. We have sufficient authority under the statutes at present.

949. Will any legislation be required to adopt the provisions; to modify the provisions of the Act that are applied to Belfast, in applying them to these outlying districts with regard to the streets?—I think not. I presume the Commissioners' report will have no effect until it is confirmed by Act of Parliament, or legislation based upon it, and any alterations can be provided for by the Act based upon the report.

950. Would it be fair to those farmers in the Strandtown district if they should be prevented from carrying manure in daylight, as they would be by enforcing the provisions of the town bye-laws?—What else of manure? There is nothing in the town legislation to prevent them from, at present, carrying a certain class of manure in daylight, and it is done every day.

951. And can they throw it down in the street?—Certainly not.

952. Would it be fair to make one of those farmers in the Strandtown district pay amercement for throwing down manure on the high road beside his farm?—I think so, certainly.

953. For the purposes of his farm?—Can't he take it into his farm instead of throwing it on the public road. I think the present Grand Jury Act applies to such a case as that.

954. Carrying it through the street in the daylight?—There is nothing to prevent farmers carrying their manure in daylight.

955. Any kind of manure?—There is night soil and other matters that cannot be removed in daylight.

956. Could a farmer lay down his manure upon the private road that runs through Strandtown, not carry roads?—I don't know whether they can do so or not, if they can I think they should be at once prevented. I think that should be put a stop to on any public road in the district.

957. Your evidence is now that all the bye-laws applicable to Donegal-street should be at once applied to this farming district?—I am not aware of any bye-laws applicable to Donegal-street.

958. None?—None.

959. You are aware of the laws applicable to Donegal-street?—I am.

960. I used the words "laws" and "bye-laws"?—If you confuse yourself to the laws applicable to Donegal-street, I say that the same laws should apply in every portion of the borough, whether extended or not.

961. Do you not admit, or do you admit, that some modification of the laws must be necessary for this outlying district?—I know of none; if you call my attention to one I will tell you, but I know of none.

962. CHAIRMAN.—The only thing is, that if you extend the borough, no one must commit a nuisance there more than in Donegal-street?—Precisely.

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960. Mr. Overend.—You consider then that there should be no modification of the law as applicable to those streets in the Strandtown district?—I am not aware of any of those streets requiring any modification of the law.

961. Would it be fair that the owners and occupiers on those roads, and the few houses on them, should be compelled to put them into the order of streets in Belfast?—I think that every road that is occupied or used by the public should be put into proper passable order and in an efficient state of repair.

962. Do you say into the same order as those in the town?—I don't say the same order. If the learned counsel was aware of the Acts of Parliament, and knew them, he would know that it is a discretionary power that is placed in the hands of the Town Council, as to the mode in which the streets are to be finished, and each street is finished according to its particular circumstances.

963. Where is Halliday's-road in Belfast?—Halliday's-road is an old lane adjoining or leading up to Mr. A. J. Macrory's property.

964. I believe that is exempt from taxation?—Are you referring to his property, or Halliday's-road?

965. I want to know?—But which do you mean?

966. Halliday's-road?—Halliday's-road would not be exempt from taxation, because there can be no taxation upon a road.

967. Is it anywhere beside that nice property of Mr. Macrory's, that is free from taxation?—Mr. Macrory's property is not free. I presume you refer to his demesne, comprising forty acres and upwards, it is exempt from police tax.

968. Where is Halliday's-road?—It is adjoining Mr. Macrory's demesne.

969. Would you have any objection to give the Strandtown people a clause like this:—"Nothing in this Act shall empower the Corporation to order the accommodation road, known as Halliday's-road, to be paved, flagged, levelled, sewered, and completed at the expense of the owners adjoining same." Would you put the same clause in the Act respecting them?—Certainly not. That is an old accommodation road for the benefit of the farm.

970. How did that come to be introduced into the Act?—On account of opposition in Parliament on the part of Mr. Macrory to the Bill.

971. It would in fact have done him an injustice?—He contended so.

972. And on the same principle that the Strandtown people contend it would be an injustice to them?—On the principle that it was not a public road, but a private accommodation road.

973. Are there not many of the same roads in the Strandtown district?—Not one that I know of.

974. Do you know anything at all about the Strandtown district?—Indeed I do; well I know it, for I live there. The moment that buildings are erected on a street that is laid out, then all the provisions of our Acts apply.

975. But did the Town Council at any time consider these bye-laws and laws, with regard to the effect they would have upon such a district as Strandtown?—The laws of the Town Council are framed for the entire borough, and would be applicable to every portion of it.

976. Are not the members of the Town Council advocating this extension?—They are in favour of it, certainly.

977. They are in favour of it?—Certainly.

978. Are they not advocating this extension?—They are in favour of it.

979. And they want to apply the laws and bye-laws of Belfast to this extended district?—Certainly.

980. May I ask did the Town Council consider whether that would be an injury to that district or not?—There was no necessity to have any such consideration.

981. It was of no consequence?—Of no consequence, for it was never contemplated to have different sets of

Acts of Parliament, and apply those to different portions of the borough. That would be a perfect absurdity.

982. Are you aware that the land there is principally held under leases requiring from £800 to £1,000 to be expended upon each villa?—I don't know the amount, but I dare say it is quite true as to some of them.

983. You have had some of the leases before you?—I have had Sir Thomas McClure's leases before me to examine once. I have prepared a great many of Mr. Ward's.

984. And the houses are to be built as a rule fifty or sixty yards from the road?—I am not aware of any rule with regard to that; on the contrary, if such a rule exists it is not put in force.

985. As a matter of fact are not the houses in this district villa residences built on twenty to five acres each?—Not by any means all of them. There is no restriction as to the number of houses to be built on a certain quantity of land so far as I know, the only restriction is as to the class of houses. There is no such covenant in the lease. A man may get ten acres, and he is bound to expend £600, £700, or £1,000 on it, and after that is done he may build fifty houses if he chooses upon the remainder of the land.

986. Are not these villas built in the middle of the lot?—No.

987. Do you mean to say "no"?—There are plenty not so.

988. The majority are not built in that way?—A number of them are.

989. You say there is no appeal to Quarter Sessions upon the part of the ratepayers?—Yes.

990. Will you just show me how that works?—What is that appeal?—Do you mean the section of the Act that applies to it?

991. Yes; about the lighting and watching?—Section 4 of the Act of 1873. I am of opinion that the inhabitants of a district should have the fullest right to appeal against any order made by the council in any shape or form affecting them.

992. Under which tax is the sewerage rate?—do they pay for the sewerage? Is that the general purposes rate?—If you refer to the district sewer rate, it is a special district sewer rate.

993. Just as we met at that may I ask you this: suppose Strandtown was desired, and that a district sewerage rate was levied upon it, who would have that rate?—The cost of the main sewers for draining the district would, as I have frequently explained to the Commissioners, be divided into three parts; one part would be paid out of the general purposes rate; another third would be paid by the owners of the buildings fronting to, or abutting upon the streets or roads through which the sewers would be made, and the remaining third would be charged on the occupiers in the district to be benefited by the sewers.

994. Then, at Fartullrue, if there was a district sewerage rate there, it would be borne there in the same way?—All over the town the provisions are precisely the same for the various districts. There is no difference whatever.

1000. CHAIRMAN.—If the Strandtown district does want sewerage in that way, if it was joined, and under the Belfast Act declared part of the sewerage district, the whole of the people of Belfast would have to pay one-third of the expense, whereas if the work was done by the rural sanitary authority the third would not be paid by the Belfast people, but the whole cost would be thrown upon the people of the district.

1001. Mr. Overend.—Yes; but we do not bear any expense of any other district. (To Witness).—You know this main drainage scheme that is in prospect?—I don't know anything of the details, but I know the general outline of the scheme.

1002. Don't you know very well that the Strandtown district could never participate in any main drainage scheme?—I do not; I am not an engineer.

1003. What have you paid in Belfast as compensation for malodorous injuries in recent years?—How

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many years back do you wish to go, because I will get the whole of the details for you? Within what period do you wish to know? If you wish to take last year for instance, it would not amount to £300.

1004. At all events as regards those districts that it is now sought to bring in, if they were brought in they would be liable to all the taxes for malicious injuries &c.—Oh, certainly.

1005. Whether they were guilty of any of the sins or not?—Of course; the same as any other part of the borough.

1006. Are you aware that in the county such taxes are levied upon townlands?—They may be, or upon parishes, or upon the county-at-large. All that is quite opposed with the Grand Jury.

1007. It would be no matter whether they behaved well or ill; once inside the boundary they would have to pay all the same?—Inside the boundary they would have to contribute the full rate, whatever it might be. I am happy to say it would be a very small portion indeed.

1008. Will you give me the amount paid for the last ten years?—

1009. CHAIRMAN.—I really don't think that information is necessary.

1010. Mr. Overend.—It is a very alarming amount. (To Witness).—What number of public-houses that are now closed on Sundays would be opened if the extension is carried out?—It is very likely, if the law remains the same as it now is, that some of them would be opened. I thought the contention here was that there was only one or two public-houses in the district.

1011. How many public-houses in the entire extended area would be opened if the proposed extension was granted?—I don't know the number, indeed.

1012. You stated as a reason for excluding part of Ballymore that portion of it was let for agricultural purposes for a term of years?—Yes.

1013. Are you aware that there are farms in Knock held under leases for lives?—I am not aware, but it is very possible that there are.

1014. And they cannot be available for building purposes until the lives fall?—It is quite possible there may be some in that way, but if the landlord and tenant have no objection there can be building.

1015. In perpetuity?—In perpetuity; there has not often been a case.

1016. Have you excluded in Ballymore eighty acres at present offered and in the market for building sites?—Not that I am aware of.

1017. Is that the portion in the corner of the map there?—It is; I have not the slightest doubt that Mr. Kerr would be delighted to let any portion of it that would be wanted for building purposes.

1018. It is in his plan?—I have never seen his plan, nor do I know anything about it.

1019. Give me any reason why the boundary should extend out beyond Brock's farms held under lease for lives?—I don't know anything about it.

1020. You know the whole of Knock?—I think you will find that it is a townland boundary that has been selected there.

1021. How much is the poor rate in Belfast?—Really I am not aware. I suppose it would average about 1s. in the pound in this year. I have known it considerably higher.

1022. That would be 4d. or 6d. higher than the poor rate in the district of Down?—I don't know, indeed, what they pay in Down. I don't think the extension would affect the question of poor rate in the slightest degree.

1023. If the present area is paying 4d. less than the Belfast district is, if it is brought into a new Poor Law union, I think it will affect the question very much?—It is in the Belfast union at the present time, and it is not attempted to be affected in the way of the union. As far as we are concerned it would make no alteration in the poor rate.

1024. CHAIRMAN.—The borough is in five electoral

divisions, and there is a different rate to each, and wherever your electoral division is you would stay in it still, and pay the same as before.

Re-examined by Mr. Brown.

1025. You have been asked a good many questions, Mr. Black, with regard to this memorial from the Corporation to the Local Government Board about the proposed Stranmillis boundary, and various paragraphs have been read from that report. Do you recollect me reading this paragraph, according to your recollection?—

"Your petitioners submit that it would be very undesirable that the extension from time to time of the boundaries of a rapidly increasing town like Belfast should be thus strictly checked, and townships would, as in the present case, be principally peopled by persons crying on houses in Belfast they would exclude the borough, and in this form a portion of the town, but being under a different government all uniformity in the many matters relating to the regulation of streets, sewages, lighting, &c., would be prevented, and this would be no small evil."

I think that was a paragraph in the memorial.

1026. Does this also appear in the memorial?—

"Your petitioners refer to an Ordnance map which accompanies this petition, and upon which the boundaries of the proposed township are coloured red, and the boundaries of the township of Stranmillis coloured blue. It will sufficiently appear by the said map, and it is the fact that the proposed township consists of a valuer's district which are contained many villa residences, but which is not in any sense a town."

Is that correct?—I think that is correct.

1027. CHAIRMAN.—At the time they sought to make this place a township, did they ask to include these farms and all?—I think that substantially the line we have taken corresponds with theirs—I think so substantially; there may be some little variations, which Mr. Murrigway can explain better than I can.

1028. Mr. Brown.—You were asked some questions, I think by my friend Mr. Weiss or by Mr. Ross, with regard to Mr. Dickson's property, which it is proposed not to include in this scheme?—It is not proposed to include him.

1029. And it was stated also by my friend that Mr. Dickson is a member of the Corporation?—So he is.

1030. Had the fact of Mr. Dickson being a member of the Corporation any influence, as far as you are aware, upon any person in leaving out his ground?—Not the slightest.

1031. I believe from the map you put in it was so stated that a period of eighteen years had elapsed between the last order for lighting and watching on certain districts included within the present borough, and the date of the extension of those districts—that is to say between the Act of 1853 and the order a period of eighteen years elapsed?—I think so.

1032. During those eighteen years was any application made by the inhabitants of any portion of the borough to be brought in and lighted and watched which was disregarded by the Corporation?—No, not one that I know of. It is seriously correct, I think, to say eighteen years. Yes, from 1853 to 1870 is substantially eighteen years.

1033. You were asked by my friend, Mr. Overend, would it be fair for the farmers to be obliged to put the roads in the district of Stranmillis into the same condition as Donagall street. By the Acts is there a discretionary power given to the Corporation as to the state into which they require the roads to be put?—Certainly; that is a matter of discretion entirely with the Corporation.

1034. And as a matter of fact in the suburban portions of the present borough they are not laid out and prepared in the same elaborate way that streets in the centre of the town are?—They are not so expensively done.

1035. We know that there was an extension of the borough in 1853?—There was.

1036. You were not able to tell us the exact amount of the extension at that time, but that it was a con-

considerable extension?—Yes, it was a considerable extension.

1037. You recollect, I suppose, that there were districts then brought in of a similar character to those at present proposed to be brought in?—Yes, I think precisely similar.

1038. And by the passing of the 1886 Act all the Acts relating to the Belfast Borough have, I believe, one code?—They do.

1039. Were those provisions of a somewhat similar code then existing?—I mean under the Act of 1853—with regard to the borough which now exist?—Yes, they have been modified and extended. Substantially they were existing then and have been applied to the extensions.

1040. And there was no difference made between the extensions and the other districts of the borough?—None whatever.

1041. Was there not a strong opposition to the extension?—Yes, it was fought wickedly. There was a local inquiry here before Captain Leach as to the boundaries.

Re-examined by Mr. Ross.

1042. Mr. Black. In the petition that was presented against the Strandtown township application, that was considered by the Local Government Board?—Well the Local Government Board wrote to say that they had taken it into consideration; but I think they could not have done so.

1043. In that you alleged, as I understood, that

injury would be done to the town of Belfast by the want of uniformity and uniformity of that kind?—Yes.

1044. Notwithstanding that statement made by you they made an order making this a township?—Yes I did, and it was afterwards set aside.

1045. Why?—Upon the ground that they had no power to make it.

1046. But, as far as regards the action of the Local Government Board, they disregarded what you submitted and regarded the wishes of the inhabitants of the district?—They did, in which I think they were quite wrong.

1047. At all events they regarded the wishes of the inhabitants in their action?—They regarded a report from their Inspector and acted upon it, and in the interregnum between one Chief Secretary going out and the other coming in the thing was done by way of a fudge.

1048. Do you state that as a matter of fact?—Yes, as a matter of fact.

1049. As reported to you?—As reported to me.

1050. You said something about part of the lanes being laid out for houses outside the borough?—What part?

1051. You said, as I understood, that part of the lanes outside the borough were not so well laid out, and then you said not so expensively laid out?—None I said.

1052. Didn't you say there were some premises outside the borough laid out with roads?—Well, I don't recollect the answer to which you refer.

RECALLED  
Aug 6, 1894.  
Mr. B. Black.

Mr. JOHN JAMES MONTGOMERY examined by Mr. Brown.

Mr. John J.  
Montgomery.

1053. You are town surveyor of Belfast?—I am.

1054. I believe you are a member of the Institution of Civil Engineers—just state your qualifications?—I am a member of the Institution of Civil Engineers.

1055. How long have you been surveyor of the borough of Belfast?—About eighteen years.

1056. Before that I believe you filled a similar position in Bradford?—Yes.

1057. You have had great experience, I need hardly say, in drainage and other questions affecting the health of towns and districts?—Yes.

1058. Did you make the map the Commissioners have now before them showing the proposed extension of the borough of Belfast?—Yes.

1059. Upon those plans the borough is surrounded with a red line and the proposed extensions are surrounded with a green line?—Yes.

1060. Have you any document setting down the boundaries and the areas of the proposed districts?—of the districts proposed to be brought in?—Yes.

1061. Have you got that report?—I have a copy of it.

1062. And the report you have a copy of sets it out there fully and clearly?—Yes.

1063. Mr. Wile. Has that report been laid before the Town Council?—Yes.

1064. CHAIRMAN.—What is the area of what is called the Strandtown district, that you propose to take in—how many acres?—In reply I will read this short statement that I have prepared; there is everything in it.

"**BOARDS OF BELFAST. REPORT ON THE PROPOSED EXTENSION OF THE BOROUGH.**"

"The accompanying plans show, by a green tinge, the various lands to which, in my opinion, the borough should be extended.

"The area proposed to be included may be considered as three separate districts.

"1st. *The East Side*, comprising the townlands of Strandtown, Ballyrackanore, Knock, part of Ballymore, part of Ballydoonagh, and part of Ballymashanagh.

"The boundary would commence near the second mile post on the Holywood and Bangor Railway, and run

towards Belmont House, thence southerly to Thornhill House, thence by Knock Toward boundary and Knock river to Kingsgrove, thence by Loop Bridge and Bella's Bridge to the borough boundary.

"2nd. *The South Side*, comprising chiefly portions of the townlands of Malone Lower and Ballymurry.

"The boundary would commence near the Old Waterworks, on the river Lagan; and run westerly to Malone-road, thence to Keshington Cottage, thence along backlanes to the river Blackstaff, thence westerly to Andersonstown, thence northerly by Glenvalley Blacksmith to Whitecroft-road, and along the said road to the borough boundary.

"3rd. *The North Side*, comprising chiefly portions of the townlands of Stagsmill and Low-road.

"The boundary would commence at McNellie's bridge, on the Northern Counties Railway, and run westerly by the back road to Parkmore, to Antrim-road, thence by Cavell Hill National School and the Waterworks upper reservoir to the borough boundary.

"After a careful survey, and studying the plans, the rate of progress, the valuation, and other circumstances, I have defined the boundaries and made estimates of the income and expenditures for each of the three districts, assuming that the roads would be maintained in a similar manner to the suburban roads of the borough, and that the present rates would be levied. I have not provided for any expenditure on drainage, or other permanent works—such as flagging, forming proper footways, crossings, &c., or widening and improving roads, or for lamps, plant, &c., or, generally, what is considered as 'capital expenditure'; neither have I considered the cost of supervision and general administration; but, against these charges, there would be the gradual expansion of the revenue.

#### "ESTIMATES."

"1st. *The East Side*.—The East, or County Down district, contains 1,935 acres, exclusive of tideway; the rateable value is £18,009; the income from rates is estimated at £3,203, and the expenditure at £3,328.

"2nd. *The South Side*.—The South, or Malone district, contains 1,363 acres; the rateable value is £8,546; the income from rates is estimated at £3,688, and the expenditure at £1,522.

"3rd. *The North Side*.—The North, or Fortwilliam district, contains 478 acres; the rateable value is £5,131; the income from rates is estimated at £1,935, and the expenditure at £768.

REMARKS.  
Aug. 2, 1879.  
Mr. John J.  
Montgomery.

## "ABSTRACT OF ESTIMATES."

	Area. Acres.	Income. £	Expenditure. £
1. East Side.	1,803	1,203	3,338
2. North Side.	1,323	1,488	1,528
3. South Side.	475	925	767
Total.	3,599 } (land only)	3,598	5,633

"Present area, 5,221 acres (land only)."

1063. *Mr. Bruce*.—When you say, "with that income from rates on those various estimates," is that upon the assumption that the whole of the districts proposed to be brought in, are to be lighted and watched?—Yes.

1066. *CHAIRMAN*.—Did you make any calculation, *Mr. Montgomery*, what the cost of lighting and watching the entire of that district would be?—Yes.

1067. How much would that be, the lighting and watching alone?—I have calculated it, and I can give it to you. The lighting of No. 1 district, the east side, or county Down. I estimate that the lighting of that whole district, supposing it were done now, would cost £158.

1068. And the watching?—£250 for the whole district.

1069. Then you say for that district you would have to deduct £1,000 from the total you gave, which was £3,000 and something; you would deduct £1,000, or you would deduct £2,363, so that that would leave it £730, on a valuation of £13,000; that would be something like 2s. or 2s. 6d. in the pound?—I cannot answer that question.

1070. I suppose they are in the same proportion—the other districts?—They are in the same proportion.

1071. In No. 1 district; now give us the component parts of the £2,363?—The maintenance and cleansing of roads in No. 1 district, is put down at £2,363. The lighting I have given you, and the watching; you will find that will make up my total.

1072. In fact you only calculated these three matters?—Yes; only works of maintenance.

1073. For that money, on any of your own personal knowledge say, that you can keep up the roads as well, at all events as they are kept up by the county at present?—I think better.

1074. With regard to district No. 2, I suppose that is in the same ratio?—Not exactly. The traffic is different. I have every road by itself.

1075. Then kindly give us the other districts?—For district No. 2 the amount for maintenance and cleansing is £203; lighting £279; watching £350, and that makes the total which you have got.

1076. Now give us district No. 3?—For maintenance and cleansing, I have allowed £439; lighting £147, and watching, £120.

1077. Now with regard to the question of watching in those districts. If they were brought into the Corporation of Belfast, in your opinion would they be better watched than at present?—Of necessity; because they would be lighted.

1078. I can form my own opinion, but I want you to tell me. In addition to being lighted they would get the ordinary police force of Belfast, to watch them?—Yes.

1079. Which would be your opinion of necessity, be better than the system at present adopted—the ordinary constabulary system?—It is different altogether. It is night watching.

1080. Would it be advantageous for a district containing a number of gentlemen's villas, and likely to have building going on, to have a good system of watching, for the sake of the preservation of life and property?—I should feel much more secure, if I had a villa there, if the district were lighted and patrolled and had a regular beat. I think it would be much more secure; not that I think there is any present danger.

1081. There is one thing that I do not observe you to have taken into your consideration—would the extension lead to any increased expenditure under the head of the fire brigade; wouldn't you need to have

stations at the extremity of the district?—I have not considered that; but I think the difference in the expenditure would be very small.

1082. What about water mains?—The Water Commissioners have the duty imposed upon them in respect of that.

1083. The Water Commissioners would have to be paid for the water they would have to supply, and you would have to increase the fire brigade staff?—Yes; perhaps a little.

1084. You don't think that is worth to be taken into account?—In this way it would be. Skipping two fires occurred at the same time, if one was outside the borough, there would not be the same obligation on the fire brigade to attend to it; therefore there might be more appliances and more men wanted.

1085. If you taking those in you would have to give them the same advantage that the rest of the borough has?—There is no doubt that if you increase the borough sixty per cent, the staff should also be increased.

1086. Of course, you have taken into account the increase of the staff, as far as the scavenging and cleansing is concerned?—I have done that.

1087. Can you give us an estimate of what you think it would cost—the extra cost of the fire brigade?—I will look into it.

1088. Take it in this way, that there should be at the extremity of the borough fire stations, communicating by electric telegraph with the main station in the city, and taking into account that it would be desirable to have proper engines at those stations, all equipped properly, so that you would not be waking half an hour for the brigade to come out from the centre of the town—taking into account that all that might become necessary, what additional cost would it put on this township, if not taxed at present—whether it would be 2d. in the pound or more; and then see whether it is not so small, that a man would pay double the amount for the purpose of having a fire brigade near him?—I will look into that, sir.

1089. *Mr. Bruce*.—You have given certain items of the amount of the cost of the watching of those districts; how many policemen, upon your estimate, would it take to give to each of those districts?—Well, I cannot just speak authoritatively on to that. I would much rather get *Mr. Bailey* to give you an opinion as to that; but I wish to explain how it is done. It is taken in proportion to the mileage, as compared with the roads that we know. It is a general thing. I am not at all strong on the watching questions.

1090. Would you have it adequately watched in the same proportion as in the other parts of the borough?—Yes; I take the estimate of the cost is money, not in men. No. 1 District will cost about £230. I think it is £45 a man; and £230, divided by 45, would give you the number. I think you will find it will cost £500 a year each to light and watch those 2,000 acres.

1091. *CHAIRMAN*.—That is putting it in the most unfavourable way towards the town. It may be less, but it cannot be more?—I think it is a fair estimate.

1092. In doing that, have you taken into account the interest it would cost for the money necessarily to be provided for laying down the mains in that district?—Not at all. My instructions from the Committee were simply to do as I have done in every district round the borough for many years—in every district that has been taken in—to apply the same rules as I formerly did to the others, and to say, supposing the district actually incorporated, about what would be the current outgoing and incoming, and that guided me in laying down that gross line on the plan.

1093. But would you not have, in addition to that, the first cost of the pipes, and the laying down of the pipes in that district for the gas service?—We did not suppose to go so nicely into the calculation at all; it was a rude and rough estimate.

1094. Substantially, you think it would not make

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as much difference—I must tell you that in making this estimate I did not apprehend that the whole of that road would be taken in and lighted at once; but at the worst, if it were all taken in, still, substantially, I designed the district in such a way as that the income and expenditures would about balance.

1095. It being one of the directions to us that we are not to cut townland boundaries, if possible, or electoral division boundaries, and it being better to adhere to townland boundaries, if possible, why do you exclude Castle Hill on the map, because you have a well-defined townland boundary going a little outside that, and if you don't follow it you cut off a portion—you have taken an imaginary line?

1096. Mr. ROBINSON.—You have cut through the townland of Ballyloughan; what is the objection to take in the whole of that townland?—I will tell you. I read over my instructions carefully, and I tried if it would be possible to follow the boundaries of the electoral divisions in this district of Belfast, and I found that the boundaries were such that the thing would be totally impossible. Take one of them as an example, that of Ballygomartin?—It comes inside the borough, and it goes away over the Black Mountain, and the others are nearly the same, so that I saw that the present electoral divisions ought to be no guide whatever. Then as to townland boundaries—they are very convenient, because they are established by the Ordnance Survey, and I followed them wherever it was convenient to follow them; but I also found that the townlands ran in and out in the same way. I must say that I think country districts that are not likely to be built on ought not to be included at present within the borough boundary, and therefore I took such districts as, in my judgment, were likely to be used for residential purposes, and I disregarded, where there was a conflict, the townland boundary. Now, to come to the particular case you mentioned, I ascertained from Mr. Black that that particular road was affected by certain terms of a lease for thirty-three years, and that that was a road that no one could build on—it was a way of communication only, and it would not be built on; and therefore I altered my boundary line and left it out.

1097. Mr. CORRY.—Is that Ballymaist or Ballyloughan?—The road through Ballyloughan is not likely to be built on for the next thirty-three years.

1098. Is it what is called Castle Hill?—Yes; I got information that it was not to be built upon. Mr. Robertson, I think it was, had got this property, and this was a road made as a way of communication, but not to be built upon, and, therefore, the boundary was drawn in this line. If we thought it was likely to be built on we would take it in. I should say that a large committee of the Council was appointed to deliberate on this matter. We had a great many meetings, and a great many things were said and done, and I cannot charge my memory with all of them, but I know that the plan was altered in that respect, because this ground was not likely to be built on, and there was no use in keeping up a road that would have no buildings on it, and I accordingly altered the plan.

1099. CHAIRMAN.—The portion of Ballymaist townland that is outside the boundary; what reason is there for not including that, and allowing your line to go down to the railway, and, take the townland boundary, then close to where the station is marked on the Ordnance Survey, and then follow the townland boundary there until it meets the green line that you have made?—The answer I have to that is this—I will tell you why—I thought then, and think still, that 3,756 acres of land is enough to add to a borough of 8,960, with one sweep.

1100. That may be all very well; still, you know we ought, if we can, to follow a townland boundary except there is some reason against our doing so?—Though I am taking that, I would still come nearer in.

Many gentlemen thought I should have gone further, and our Town Clerk was one of those. I would rather that the boundary would not go so far. I think we have gone quite far enough.

1101. Is there any objection to take in the entire of that portion of Ballymaist?—Every yard of that district that you add will increase the cost.

1102. I only want to have it in for the benefit of the town, and with the view of making Belfast one fine city, and a few pounds thrown over the whole borough would not make much?—I am not so lenient; I would not take in a district that would be a heavy tax on the borough.

1103. With regard to that district, what would it add to the cost?—I am not prepared to say: I have not got the valuation of it. I assure you I don't know who is owner of one of these villas, and when pursuing my investigation, I got Griffith's valuations, and I went at it, like a mathematician solving a problem, and I ascertained for no one.

1104. You were not aware of the ground there?—Never; only to judge of the character of the roads; I know no one there.

1105. Passing from that portion of the proposed extension—do you see on the map what is called Knock House?—Yes.

1106. Why did you run the bounds out there, and run into that portion of the electoral division of Castlemore at all; why include what is called on the Ordnance map Knock House, and the National School?—That is a townland boundary along the river.

1107. It is; but you see it is going out into an electoral division, and taking a very small portion of that electoral division, which would not otherwise be included?—I gave up trying to steer by electoral divisions altogether. It is a hazy boundary, and also a townland boundary; and, moreover, the neighbourhood of Knock has been, and is getting very populous. It is one of the best occupied parts of the district; it is very near to Knock station, and if you go out at all you should go to the Knock station.

1108. If we confine it to the electoral division of Ballyhackamore, it would not take in Knock station?—It would; but there are villas all around Knock station, and it would leave out a good many of those. It would reduce the valuation a good bit if it were to be taken away.

1109. There would be no difficulty about it, except for running out into an electoral division, and taking a very small bit of it?—It is utterly impossible to follow the electoral division boundaries, so that it is not a good principle to adopt. If you leave out the portion you refer to, you will leave out a very important part of that district.

1110. Is there a well-defined boundary at Knock station? You say it is not only a townland boundary but a parish boundary there?—It is a rather well-defined townland boundary. You could either take the boundary of the electoral division of Ballyhackamore, and that is also a townland boundary, or you could take the townland boundary of Knock to a certain point—and then you could have the hazy boundary, and that was the boundary I thought it well to adopt—partly the townland and partly the hazy, even though that goes into the electoral division of Castlemore.

1111. Mr. ROBINSON.—You have only included a portion of Ballymacnaghy townland?—Yes. Only a portion.

1112. Why was not the whole included?—Only for the reason I have given you. The electoral divisions are laid out in the most arbitrary way.

1113. Was there any special reason for including the portion of the Liskum union you propose to take in?—Because it is likely to be built on soon.

1114. But we are directed to take care that no town except Dublin shall be in two poor law unions?—I got no such information.

1115. CHAIRMAN.—It would be best to let the

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boundary go along the boundary of the Electoral Division of Belfast. That would be the purple line as it is at present?—Then you would have to take in Stockmishane.

1115. That is the boundary on that side of the Belfast Electoral Division?—Yes.

1116. Then there would be no difficulty in that, you know?—No; but it is very awkward to have the boundary of a town like Belfast down the centre of a road.

1117. Mr. ROSSIGNOL.—Is the boundary of the electoral division down through the centre of a road—the one referred to now?—The proposed boundary is at a sufficient distance to take in any buildings that may be erected on either side of the road.

1118. CHAIRMAN.—The Lisburn Union comes up to the present road, which is the boundary?—Yes; so I am informed. It comes rather near. The reason I went outside was because I wanted to extend the boundary into the Lisburn Union, as it is inconvenient to have its boundary there; and therefore the buildings, which would be likely to be built on that far side of the road, would be included, otherwise they would not; and also because, in connection with the lighting and watching of that road, the people on one side would be paying taxation to the extent of 2s. or 3s. more than those on the other, and that is very unfair. In fact, in my opinion, the Lisburn Union comes much too close to Belfast.

1119. Now, with regard to the district above that again—Upper Malone, I think, you call it, in the Electoral Division of Ballymurray—have you followed there a townland boundary, or what have you followed, to the north-west of the road next to the Lisburn Union?—That is the townland boundary of Ballymurray; but a large portion of that boundary is only ordinary fences and a watercourse, but it is a well-defined boundary on the ground.

1120. Is there any townland boundary you could follow there?—There is the townland boundary of Ballymurray, that has been followed for nearly a mile, and then there are fences and the stream for the rest.

1121. You could not follow it further usefully?—No, because it runs up to the mountain.

1122. And then you have only taken in such portion of that townland of Ballymurray as you think is likely to be built on, and which you can mark out as a well-defined boundary?—Yes. What I say is this:—Where roads run through a district, I followed those roads as far as I thought it possible, within a generation, that there would be any considerable building. It was necessary, I thought, to go so far on the Falls-road, because of the Falls Park; as it would be much easier managed if the Chief of Police for the borough had control over it, and the Council were anxious that that should be so.

1123. Is that park outside the borough?—At present that park is a long way outside the borough. That was one reason why I extended it so far; and then with regard to the Big Meadows, I should be quite willing to omit them; but there is just one reason why it might be of use to take them in. It is likely that that valley will require to be drained, on the sewage utilisation plan. It is quite possible some works of that sort will be established in that valley; and that the inhabitants would prefer this, if it could be done at no great cost to them, to having a costly sewer there; and I think, if the Town Council had it in their jurisdiction, it would be no harm in that respect. That is one reason why I wish to get it in. The Council, however, have no desire to get it.

1124. With reference to the Falls Park, you say it would be desirable to have that included on account of the police regulations?—There are two cemeteries and the park there; and there are sometimes very rough people at those places.

1125. Now, as regards Fortwilliam.

1126. You have gone as far in the direction of the

mainland as you think it useful to go?—I have. I think it would not be wise to go further along the Shore Road, although there are a great many villas, and it is a very nice residential district; but I do not think it would be wise to go further at present.

1127. What have you followed at that place on the map where you see the signing line—where the line goes in and out, as you may observe?—The road between Park Mount and Low Wood—there is a road running from that point to that—a very well defined line—and then the boundary simply follows fence. If you attempted to follow the townland boundary, you would get up into the hills.

1128. You could not get a townland boundary there, without going up towards the Carr Hill, which you think would not be desirable?—Yes; quite so.

1129. Are there not a great many residences down along the coast there; Park Mount, Clough Lodge, and places of that kind?—Yes; there are a number of those residences down as far as Carriferys.

1130. You think the proper place, however, to strike the boundary is the road at the north-east side of Low Wood?—I must say I don't think you would like to add more than sixty per cent. to the present borough. I don't think it would be wise to push to take in all the surrounding districts. I think Park Mount would be exempt under the forty-acre clause. That is the reason I didn't attempt to take it in.

1131. In your opinion, as an engineer knowing well the value of land, does the whole of the district you propose to bring in, derive exceptional benefit and advantage from its proximity to the town of Belfast?—Unquestionably. In giving evidence about the separation of the borough from the county, I think I satisfied the Parliamentary committee that the land is worth four or five times what it would be, if Belfast were not the town it is. Supposing Belfast were the same as it was fifty years ago, that land would not be worth more than £2 an acre, whereas I know of land that is let at £9 and £10 an acre in perpetuity. No one disputes that at all.

1132. Can you say yourself, as an engineer, whether the lotting value of that land, supposing it to be let as building land, would not be enhanced by getting the lighting, watching, and watering, and supervision from the town of Belfast?—Well, there is no doubt about that.

1133. And the benefit of the services of the fire brigade, and everything of that kind?—There is no doubt that all those things would benefit the district; but there is a very strong feeling in Belfast that the land outside the borough has advantage in the way of taxation. If you take up the newspapers, you will find people advertising their land, that it is outside the borough, but that it is quite convenient to Belfast, near the tramways, and that it has not to pay town taxes.

1134. I cannot see that the people who own such land will get any more for it after it is taxed?—I don't know, but I rather think they won't. I know this, that people inside the borough are constantly complaining that their land is put into unfair competition with the land of those outside the present borough boundary, on account of the borough taxation.

1135. With reference to the gentry who live in those nice villa houses, are many of them merchants, who have their places of business in Belfast, and come in every day?—Well, I think, as far as I know any thing about them, that most of them earn their bread in Belfast, and they retire in the evening and spend their leisure time in the very agreeable suburbs; and no one can dispute that they should contribute to bearing the burdens of this town.

1136. We have heard it stated that in some of the districts no shops are allowed to be built, and that being so, they must draw their supplies from Belfast?—Naturally they would come to Belfast, because it is a far better place to buy than the suburbs, even where



there are shops. People of the sort that reside in those villas would not deal in a butcher's shop, and I see their carriages very often in the streets of the borough.

Examination by Mr. Bruce resumed.

1137. I believe, within the limits of the borough, whether extended or not, the Corporation have extensive powers, regulating drainage and cesspools, in the absence of sewers?—Yes; I would just refer you to the 79th section of the Act of 1878, and the 91st section. [Sections read.]

1138. Do you believe, Mr. Montgomery, that having regard to the increasing building in those suburban districts it is desirable that the Corporation should have power to regulate the erection of buildings, and especially in regard to their arrangements in the matter of sewers?—Well, I do; I know from long experience in large towns, that the suburbs of a town like Belfast could be kept, without any expensive or extensive system of water-carried drainage, if cesspools were properly made and emptied; the reason why they fill is this—as in Strandtown—and I hear similar complaints every day. Some ill-conditioned fellow sends his sewage down on his neighbour's field, whereas a very small expense would enable him to put it on his own land. But if there were some control, some regulating power, people could be compelled by some summary process to clean out their own cesspools, and to put their contents on their own lands. I think if that could be done it would be most desirable. That has been the great evil of the system of sewers for many years. Many gentlemen will admit that this is being done; it is a scandalous system.

1139. There was some mention in some of the cross-examinations of Mr. Black about the drainage of Fortwilliam. Have you any knowledge of that drainage? I believe there is a drain running through Fortwilliam-avenue?—I don't think there is much complaint about Fortwilliam-avenue. No doubt they send their sewage into some open channels that flow over the sloe-lands.

1140. So that at present the drainage of that district is carried out to the sloe-lands close to the Shore-road?—It is.

1141. And do you consider that that is an evil?—Well, that is one of the evils that a main system of drainage was intended to meet—to provide channels of a better sort than exist at present. But I could not say that a place like Fortwilliam was properly drained if the outfall was not provided for as well as the place itself.

1142. And the outfall is not provided for?—No; the sewage goes into the open conduit.

1143. With reference to the Chichester Park drainage, how is that?—It is just the same, except that it is a longer course. It has to go a longer way uncovered before it gets to the manure.

1144. Uncovered?—Yes; I am not complaining of it at all. I believe it is very well drained.

1145. It goes away from them?—Yes; but it goes to their neighbours. You will notice if you pass along the Northern Counties Railway that there is a very bad smell from the open gullies there; they are full of sewage.

1146. Do you recollect any application being made by Mr. Young—Mr. Young is, I believe, a civil engineer, and he is connected with the Fortwilliam Park district?—He has property there.

1147. Do you recollect any application being made to the Corporation by Mr. Young, on behalf of the Chichester Park district, to connect their drainage with the Corporation sewer?—Yes.

1148. What was the result of that application. What did the Corporation do?—Well, as far as Mr. Young was concerned, he and I agreed upon the basis of an arrangement with the advice of Mr. Black. I consulted the town clerk, and I thought it was ar-

rugeed that Chichester Park should make use of the Ashin-road sewer, and I thought, as far as Mr. Young was concerned, he was quite willing; but some difficulty arose as to the contributory district. I think the Sanitary Authority, the Poor Law Guardians, could only impose the charge over a certain area compulsorily, and it was felt to be a hardship that the whole district should pay for five or six houses, or something like that; but the matter just dropped in that way, and there was no positive settlement one way or another.

1149. Had you subsequently any conversation or communication with him as to some other idea of the inhabitants to carry off the drainage of Chichester Park?—Yes; they thought of taking it by a sewer down one of the roads towards the sea, for instance—Buttermill-lane was proposed, or some other passage, as the place to make a sewer down; but the difficulty then was about raising the money necessary for the work; but nothing has been done yet.

1150. I believe that Mr. Lindsay and some others in Malone are at present permitted to drain into the Corporation sewer?—Yes; five or six villa owners on the Malone-road have paid to the Corporation of Belfast some money, and have been allowed to use the district sewer; but that is a very small district.

1151. CHAIRMAN.—Is the drainage of Strandtown at present unsatisfactory?—It is likely that what I have already told you is the worst. There are possibly some regulations, but I say that neighbours won't provide for their sewage as they should.

1152. Is the stream called Connawater all right?—The place where buildings, or what is commonly called "streets," are commenced is near the Connawater. There are two or three small streets, and some forty or fifty houses. There is a sewer constructed to discharge their sewage, and it discharges into Connawater. There is a good deal of water in Connawater, I think, generally; and I also think there is a very little sewage, and I am not prepared to say that there is anything injurious to public health in that. And there are one or two other places where careless people allow their cesspools to become too full, and they overflow down along the sides of the ditches, and if those things are allowed to go on to any large extent, then the district would become unwholesome, but I am not prepared to say that there is any disease or anything of that sort caused by want of drainage at present.

1153. However, there would be no difficulty if that place was brought in, in the sewerage being properly attended to—in the place being properly drained?—It will have to be drained by-and-by, I'm afraid, as in all large towns like Belfast—but, for a moment—take the Windsor district. I recollect the Windsor district for nearly twenty years without main sewers, and it was only comparatively lately that we took steps to provide them, because sewerage was required, and people would not join to help each other. I knew many large towns in England where there are no suburban sewers. The people manage to get rid of the house refuse without committing a nuisance. That could be done here, too; but, will it be done? I say it cannot be done without a controlling authority.

1154. Mr. Bruce.—Do you consider that where a suburban district is being built upon, that it is a great advantage to the town—assuming that that district will at some future time be annexed—to have control over the streets and buildings in process of erection?—It will be a great advantage to Belfast, if Belfast continues to increase as it is now doing. Take one instance:—A short time ago, on one of our country roads, a building was erected within six feet of the road. Now we keep, anywhere inside the borough, buildings a long way back, and you will notice that on the suburban roads also they are kept back, and that course improves the appearance and character of a town very much, indeed. Immediately outside the borough a man began to build within six feet of the road, and I appealed to the county surveyor, and although he is

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very kind, and is always willing to do what he can, he said—"non possumus? I fear I cannot interfere." This has also been done in some other places. There are some districts in which the houses are built too near the canal, and if we had the controlling power there that we exercise inside the borough, I think it would be better. If, unfortunately, my great thoroughfare is allowed to be narrowed in this way, it would be a great deal more expensive to widen it hereafter. Then as to laying out streets, and sewers, and all that—if the town goes on as it has been growing, I think that the jurisdiction of the Corporation should be wider than this. I think the Town Council of Belfast should have some control of that kind against the future, because we always supposed that the borough would be extended at some time.

1153. Belfast is a rapidly increasing town?—One of the most so.

1154. Can you give me any idea of the number of plans of new houses to be built within the next year or two?—We have some so often that it is hard to answer the question with precise accuracy. I think there is no town, except one or two in the United Kingdom, that has got on so quickly as Belfast, and in which there are so many new buildings. You may take that generally, but I can give you the figures if you like.

1157. There was a good deal said about a main drainage scheme for the borough, about which there was some misapprehension. Would you just very succinctly give the Commissioners a short history of the main drainage scheme. But in the first instance I will ask you one question. Mr. Black was asked as to whether the estimate of the cost of the main drainage scheme was not half a million. Would you tell me what was the estimate of the cost of the main drainage scheme proposed to be provided for Belfast as apart from the subsidiary irrigation scheme that was connected with it, but did not form part of it?—The cost of the original scheme for draining Belfast was estimated at £150,000. That scheme contemplated the discharge of the sewage at the extreme point of the Twin Islands into deep water. I advised the Council that that was not the right way to do it—that this would be the first part of the works, and then would arise the question how to dispose of the sewage. Many years afterwards sewage irrigation was all in fashion, and I went over to London and consulted Sir Joseph Bazalgette and a great many other eminent engineers in London, and we got up a great scheme, the object of which was the reclamation and irrigation of all the marshes and slob lands of Belfast Lough. We took it up with the intercepting system of drainage in Belfast; but the two things were quite distinct and the machinery different. We promoted a bill, and we passed the standing orders of the House of Commons, and then the Council were afraid of the expense and withdrew it; but if all the works contemplated in that great scheme had been carried out the expense would have been two or three times as great; but in point of fact no estimate was ever made of it, and the reason of this was that the late Mr. Bruce thought he saw his way to getting a great deal of it done without going to Parliament at all, by means of general legislation.

1158. That was a scheme to irrigate the low land?—For the reclamation of the land the cost of the works would have been enormous. The marsh land would have been irrigated—and some of it we intended to sell. That was the portion that fell through.

1159. That irrigation scheme has been definitively abandoned, and you think wisely?—I think this people are much wiser now than they were then. Irrigation won't succeed in such marshes, even after you have drained them, or tried to do so at enormous expense by steam power. I think it would have been a very costly scheme indeed.

1160. But you are still in favour of some comprehensive main drainage scheme?—Yes; we must eventually have some scheme of that sort.

1161. CHAIRMAN.—Do you think that the people living outside in those villa residences—that it would be greatly for the advantage of those people if the Blackstaff was done away with, and if there was a perfect system of sewerage for Belfast?—Well, I think it is absolutely necessary. I think it is absolutely necessary that the shores of the Lough, to a certain distance from Belfast, and the harbour, should be freed from sewage deposit. I think by some means or other the people living in those districts should work together about a drainage scheme, because it is easy to say "take the sewage out of Belfast," but if a populous district can pour its sewage in, no good result is obtained. I think if they could be got to make for a great drainage scheme it would be a great matter.

1162. In addition to that don't you think it would be greatly to the advantage of the people using the town to have the town well supplied with water, neatly scavenged, well sewered, and everything of that kind, and free from nuisance, whether they live in the town or not?—I think that those who care for decency in Belfast should contribute to the work of Belfast.

1163. They pay their taxes in the town?—Persons like Sir John Preston, who leave villas in the borough pay a great deal more than those who live outside. They pay both for business premises and dwellings.

1164. Can you tell me how much of the present borough is built on, on the Antrim side and the Down side?—I cannot; that would be very much a matter of opinion. There are streets where there are only two or three houses; but the streets are laid out, would you consider them as being built on? I don't know exactly what you mean.

1165. Mr. CORROTT.—Because it was a great question in Dublin, in connection with the proposed extension of the boundary, that owing to the fact of there being no land to build on inside the boundary the extension was desirable?—I could not say the amount, but there is a great deal of land available on inside the borough of Belfast.

1166. CHAIRMAN.—As regards that land that is available, is it not a class of land that is likely to be built on by gentlemen's residences?—Yes; there is a great deal of that on the Antrim-road—there are a great many nice sites. I could not say that there is any want of sites for building; but a great many people prefer going farther from the smoke and dirt of the town, and going away from it into the suburbs.

Cross-examined by Mr. Twigg.

1167. I think I understand you to say that this proposal extension would add about 50 per cent to the present area?—In the proportion of 37 to 55.

1168. And your own opinion would not be for extending that addition—you would rather diminish it than extend it?—I think I understand you to say that?—When I first considered the question my report contemplated taking in to that green line of boundary as the extreme limit—the extreme limit to which the borough should be extended; but at that time thought Mr. Black's idea, as put forward in his evidence before the Committee in London, could be adopted, that it is to say—that the Local Government Board would enable us, from time to time, after going before them, to take in such portions, within the green line, as we could show required sanitary control, from their being populous, and building going on rapidly, and so on, and it was with that view I framed the report.

1169. That is rather to take in portions from time to time than to include the whole now?—Only to include now the portions next the borough that were most populous and more likely to come in as building ground, and if we had power from time to time to extend it. Since that, from what I have heard, I think it is not likely that any such machinery can be worked, and I see nothing for it but to go out to the green line. One reason why I advised that we

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should not go so far as that I thought that all lighting, watching, making of footways, crossings, and everything of that sort would have to be done for the district the moment we took it in. Now, this other plan is proposed—of only doing a portion of our duties towards it, leaving out the lighting and watching, and leaving it in the discretion of the Corporation, from time to time, to take in portions of the district for that purpose. That is different machinery for accomplishing the same end. I, myself, would rather have had the other machinery.

1170. In fixing those limits what instructions have you had from the Council—have you been in communication with those on the subject?—Yes, I attended every meeting of the large committee appointed by the Council to look into this matter.

1171. What principle did they instruct you should guide you in this matter?—The Committee left it very much at first to my own discretion, and I prepared several boundaries for them. We had a good many meetings, and the result of those meetings was that I got the limits gradually withdrawn from the area that was at first proposed, and I succeeded in getting it brought down to the present limit.

1172. Had you proposed to make it wider?—Yes, for instance—I will show you on this plan what was first proposed, for instance, Castle-hill, that has been taken off. I went at first a quarter of a mile further there, and cut along towards Holywood—much further in that direction; but on looking into the valuations, and going out to see the place, and getting all the information I could, the Committee agreed with me that the green line was the best of all the propositions that I had made; they agreed with me, and that was the way it was settled.

1173. What were the principles that guided you mostly in fixing that line?—First, the cost. The money question was the first with me. I got from the Valuation Office the valuation of all the district, and from the rate books as far as I could get it; and I calculated only to take in those parts that were either pretty thickly built over, for a rural district, or that in my own judgment and that of persons whom I consulted, were parts that were likely to be built on, that it was probable would be built on, assuming there would be no revaluation of boundaries for another generation. Those were the principles.

1174. How did you ascertain what it was probable would be built on—had you any communication with the inhabitants on the subject?—I cautiously avoided consulting any one in the neighbourhood from a fear that my mind would be prejudiced, and I hardly know any one there.

1175. How were you guided in coming to the conclusion that land was likely to be speedily built on or not—what did you form your opinion on—was it from what had been done?—It is a mere question of probability.

1176. What do you call speedily built on, in such a way as would justify you in not taking in land?—There is very much of uncertainty about it.

1177. It is mere guessing, in fact?—It is very much guessing; but then the limit of distance helps one and prevents going too far out of the town.

1178. I want to call your attention particularly to the portion of ground which belongs to Lord Downshire's estate, in order to ascertain your principles; you know it, I suppose?—I didn't know it was Lord Downshire's until to-day. I know it now.

1179. Do you know what population is on that?—No; only the valuation, and that is calculated in the whole total.

1180. Do you know the area of that?—No; but I could very easily get it for you. It looks to the eye about 100 acres or so.

1181. It is 127, I am instructed?—I will tell you about that quite frankly. I want to look at those two roads there (pointing to the map), very near Belfast. Those two roads are very near the park; and it

occurred to me that if the Town Council extended their taxation a mile and three quarters beyond that place, it would offer a sort of bonus to the owners of that building ground along those two roads that I think would be unfair. I think that at once buildings would be erected there, in preference to the outer district, and there is a sign of improvement there already.

1182. I don't understand you. How do you think that influenced you?—I think it likely that the ground would be built on.

1183. What do you think would be unfair about extending a mile and three quarters along the road?—I think that if that district were built on, that probably the persons building there would require the supervision of a surveyor, and a staff of sanitary officers for the regulation of cesspits and that sort of thing, just as much as in other districts. We have a great many specialists in these matters, and one of these might put up a lot of workmen's houses, without any control, and that would be very unfair to the neighbouring proprietors of land, who are made control.

1184. That is the principle upon which you would introduce this portion into the borough?—That was one of the reasons. Another is the proximity of the town. It is a mile and a half nearer to Belfast than a portion of the district we are going to take in.

1185. Do you know what houses have been built on it—do you know what has been built at the present time?—I think I told you that there are only symptoms beginning of building; that it is coming into the market.

1186. Is not the ground entirely agricultural, and in the hands of farmers, except the mill in the corner—Loop Bridge Mill is a little place in the corner next the town?—Yes.

1187. Extending that, is not all the rest in the hands of agricultural tenants?—I think so, there are two or three new buildings upon it, but I think it is likely to be built on.

1188. Supposing you were told that it was not likely to be built on?—If you positively say it will not be built on for twenty years, I shall be quite happy to see it left out.

1189. I can tell you that for fourteen years, at any rate, it will not be built on. The present Lord Downshire is a miser—honestly looking at it, it might be a desirable place to put up houses.

1190. At present there is nothing that would lead you to say that there was any borough necessity to take in this land except the possibility that it may hereafter be built on; is not that the sole ground?—That is one ground; but I think you will gather from any evidence that a great many reasons have contributed to make me come to that conclusion.

1191. Then I would like to hear another reason. I understood you to say that persons who built villas would rather be outside than inside the borough limits?—I think so.

1192. If you were an owner yourself you would prefer being outside the borough limits?—I would rather you would not ask me that question. Personally, I would rather be inside.

1193. I understood you to say that persons living within the borough limits pay more taxes than those outside?—Yes.

1194. And that you frequently see in the local papers advertisements for building ground outside the borough, and that held as an inducement to the public; and that that inducement is unfair to those inside?—Yes.

1195. Therefore I may infer that, as far as the owners of the land are concerned, they would rather be outside the borough limits?—Yes.

1196. If they are brought in they will be more taxed than they are at present?—Yes, quite so. About the question of time, that is in the discretion of the Town Council. I understood that the subject of control may be regulated by quarter sessions appeal. They might not be lighted and watched for twenty years.

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1197. Would not the probability of its being lighted or watched prejudice its value?—I think it would to some slight extent.

1198. Is there not this danger, if you being unbelonging on ground within the borough limits you will drive the area of building further out, and have an accumulation of unbelonging ground within the boundary?—I think not; and the reason is this, it is very inconvenient to be beyond a certain distance from the town. I know that myself, and it is also the opinion of persons who have consulted me. Two or three miles is quite enough to drive in in the morning.

1199. Does it make much difference whether you go another hundred yards or so further on?—No, it does not; but you may push the thing too far.

1200. Would you not just as soon go out beyond that boundary that you have drawn there on the map, or would you?—I think within two or three miles does not much matter.

1201. Is that two or three miles is there anything in the nature of a street?—No.

1202. What would you, as a practical man, call a street, having regard to the Act of Parliament?—I don't understand the definition in the Act at all, because it takes in bridges. It is a thoroughfare on which houses are continuously built, or almost continuously built, and it has a sort of surface paving rather different from a tramway road and a country road. I think a street ought to be sewered, and you can get at it in that way—by saying what it should have—without exactly giving the definition.

1203. Is not the definition given in the Act of Parliament a much wider one?—The word street, according to the Act, seems calculated to give the Town Council control over every place where you can walk or drive.

1204. And, if it comes within the meaning of the Act, would that oblige the owners of property to execute certain works, to flag it, and pave it, and so on?—Assuming there is a road laid out by the owners.

1205. Then, within the Act of Parliament definition of a street, any place where there is a road laid out the Town Council may oblige, although no houses are built upon it, they may oblige a large amount of expenditure upon it, and throw it upon the owner of the adjoining land?—I suppose they could make such order; but I must say of the Town Council that, in the exercise of their discretion, I don't know of a case of that sort that has been so ordered. The first question that is put to me, when I advise that a street should be so ordered, is—“How many houses are there built on it?” “Would it be fair to put this charge upon the owners of property there?” These are the first questions put to me, and then, when the Council receive my replies, they exercise their own discretion.

1206. But that discretion is unlimited and uncontrolled?—It was unlimited until lately; and the Chairman will tell you that there was one great complaint against us, that such streets were laid out and not built upon, and the Town Council were obliged by law to sewer and pave them, but refused; and a clause which was put into the Act of Parliament against my advice, I am happy to say, has been qualified by another, giving the Town Council a discretion, which they had not twelve months ago.

1207. You are aware there is a mill and premises in one portion of this land?—Yes.

1208. Did that influence you, may I ask, in bringing in any ground in that part?—Yes, because the valuation of that mill went to make up the total.

1209. So I understood?—Of course.

1210. In fact your great object was to get in that mill?—It was one object.

1211. Is not that mill corner totally distinct in its nature from the rest of the ground that lies from that up. That mill premises only covers about seven acres of the 127 acres that you have brought in?—Yes.

1212. Is there any necessity, because you brought

in the mill, that you should bring in the rest of the ground. Could you not include that and leave out the rest?—All I can say is this, that if the value of this property had been further out, at Castle-hill, I should have stopped at the mill.

1213. Then, in fact, it was the question of the mill being there that dragged in the rest of this property?—That does not follow; and it was so near the borough, instead of being a mile and a half out at Castle-hill, that I thought it a reasonable thing to take in that ground.

1214. Are there not two roads, and could you not have stopped at one of the roads at the side of the mill, or that would have been a very convenient boundary. Is not there a road that runs over Loop-bridge that would have done?—No. I think myself that if there is to be any extension in the county Down, I think the boundary should include both those roads, that is to the best of my judgment; and I have not been guided in that by anyone. That is my judgment. I may be wrong, but that is my honest opinion.

1215. And if the Commissioners thought, from the evidence given in reference to the rest of this, that it was not desirable to take it in, you could easily make another boundary?—Of course.

1216. You didn't regard, as I understand, the natural boundary?—I don't see any necessity for that at all; but I must say that if I were told, as I was at Castle-hill, that for the next thirty years there would be no building on those two roads, I should not have included them.

1217. Would not the value that the ground was let at be some sort of guidance as to whether it would be valuable as building ground?—I hope the gradual improvement of Ballymacarrett and the borough generally will increase the value of such properties as that all round the borough. We have made a great many improvements in Ballymacarrett, and in other parts of the district close to the town, and the Town Council have gone to considerable expense in improving the communications from this property into the town, and I do hope the property will improve in value.

1218. But have not those two roads been there for a considerable length of time—for many years?—Yes, and considerably neglected they were. Outside that, however, I think the time is coming when they will be desirable places to build on and live on. I do, indeed, think so.

1219. Are you acquainted with the villas that have been built on the ground—there have been three villas built on part of that piece of ground—do you know any of them?—No, sir; I don't think they are villas exactly. I only drove past them.

1220. I don't think you know very much the nature of this ground, although you know the mill?—I think I have said there have been no new buildings worth speaking of.

1221. Mr. Black said there were three new buildings within the last three years. I understood that that was one of the principal reasons for including that place?—That is not my reason. I think I might admit at once that there has been no building there to guide me in taking in that district.

1222. You would not say anything about those villas?—I do not call them villas at all. There is a factory—

1223. On the Cregagh-road. Do you know of any houses at all there?—Not of that road.

1224. Three fine villa houses—two near the road and one further back?—No. However, I really went by the valuations of those districts. I do not think there have been any buildings erected there that would warrant me in taking it in.

1225. You know the class of villa residences I am referring to. Are you in the habit of interfering with the building where they are taken into the borough—do you find it necessary to interfere—is it the custom in the borough?—There have been none taken within the borough in my time.

1226. And have there been no villa residences built within the borough during your time?—Yes, a great many.

1227. Are you in the habit of interfering in any way with the building, or deterring in any way to the builders what they should do?—I think I know what you mean now. Every villa built inside the borough, so far as sanitary arrangements are concerned, must get my approval, and the plan must be laid before me, and I must mark whether I approve or disapprove of that plan.

1228. I know what the Act of Parliament is, and I want to know whether it is carried out to the full extent?—It is fully carried out.

1229. And you do exercise control over those buildings?—Yes; full control and inspection.

1230. And it is not unusual that owners should wish to be freed from that control?—That does not follow. Persons have called on me and thanked me personally for the objections I had raised to their plans, especially as regards sanitary matters and drainage.

1231. Supposing we had a more crochety person, and a person of a less candid and fair turn of mind, who had a hobby, we will say, for particular sewers and other matters of that kind, one might be considerably interfered with. Supposing he was some one who had an idea about an irrigation scheme or a general scheme of sewers, and required things to be done that the owner of the building did not wish, or thought was not necessary, might not a considerable amount of annoyance and unnecessary expense be caused by a man of that sort?—The Improvement Committee of the Town Council, after the Surveyor gives his decision, reviews that decision, and where he has a crochety of that sort, or anything cranky, I believe there is sufficient intelligence and independence in Belfast to set his decisions aside.

1232. And have such occasions occurred?—They have occurred.

1233. Do you interfere with the position or frontage of a villa within the borough?—Yes.

1234. Is that in reference to the roads? Supposing along a road one man chose to throw his villa farther back than the general line, would you interfere in a case of that kind?—No.

1235. How do I understand that you would interfere with the frontage of a villa?—If he wished to bring his villa too much forward we would interfere.

1236. If he encroached upon the public road?—No; if he came beyond what the local Acts prescribe, we could object.

1237. Not otherwise?—No; there is a limit of thirty-five feet within which we have power, beyond that he can defy us.

1238. Thirty-five feet from the edge of the road?—Yes.

1239. And in those cases you interfere with regard to the frontage?—Yes; we protect owners of property from each other.

1240. Don't you think that owners of property are generally guided by their own interests to build their houses properly, and sever them properly?—They are, as a general rule; but now and again some one of them is unreasonably and encroaching, and the public authority has a very wholesome control over that man.

1241. Have you seen a map of the proposed township? I understood there was proposed to be a township formed in Stranadown. Did you see the map of that?—I did not; though I made several efforts to see it, they would not let me see it. At last I got a message that if I sent two guineas I would get a drawing. I was, however, able, from the printed description, to prepare a plan which answered my purpose.

1242. Do you know whether Ballymacnaghy was any portion of that plan?—I never saw that plan. I have heard that it was pretty much as we have drawn it, but not quite so square.

1243. It was not intended to take that in?—But, remember, I never saw the plan.

1244. Have you ever heard complaints of the drainage in any portion of this district to which I am referring?—No, sir.

1245. The mill, or any place of that kind?—I have heard no complaint of that, but you must remember that it is a very thinly peopled.

1246. There are seven tenements, and two of them farmers, that have nearly the whole of the ground?—I don't think there have been any new buildings erected in that district worth speaking of.

1247. Mr. Black said there were three new buildings?—I was only there once in my life, on a wet day, driving on an outside car, and I really cannot say.

1248. CHAIRMAN.—Let us know about this. Is there any difficulty, supposing the present Corporation get this ground within their area—is there any difficulty in your being able to manage it? I have no doubt they will be able to get a staff of assistants to manage any district they take in?—Provided always they do not go too far, and make a bad bargain.

1249. Mr. Zwigg.—At present you say there is no necessity at all for lighting or watching, more than what they get at present, if they got that portion of the district?—I don't think it would be a wise expenditure of money in lighting and watching those two roads, if they remain as they are.

1250. You think there is sufficient for the inhabitants upon it?—I don't see any necessity for lighting and watching those two roads.

1251. You think, to take it generally, that if proper arrangements are made to have cesspools, and things of that sort, in connection with any villa, if that happens to be there, that proper arrangements can be made for that district, without bringing it into the general system of sewerage?—I don't think there is any want of any system of drainage upon those roads at present. I cannot give any other answer than that.

1252. Did it enter as any element into your consideration in bringing this district in, that because they happened to live in the neighbourhood of the town, and have certain advantages in buying, &c., as the town, that they should be brought in as contributors to the general expenses of the town?—I think that is a general principle that applies to all towns.

1253. What I say is—do you think it is a general principle that because land rises in value that therefore they should contribute, because they derive benefit from the proximity of the town?—Yes.

1254. Therefore you think there should be a rate in aid?—The general purposes rate.

1255. Assuming it was no other reason, but merely to make them contribute because they enjoy the benefit of the town—would you merely bring them in for that reason?—I would not; it would be one of the reasons.

1256. But it would not be the sole reason?—No, it would not.

1257. Do you think it would improve or diminish that tenant-right?—I have not considered that. If it remains as it is, you draw one set of conclusions; if it becomes building ground, you would have to draw another. There is a contingency always. I say this—if it is not to be built on for a generation, I should have no plea for asking it to be brought within the borough.

1258. With reference to the proposed boundary can you just tell me how you defined that green line—what represents the boundary, is there any natural boundary or is it an imaginary line?—Part of it is a natural boundary and the rest fence, and a small water course that passes under Ball's-bridge. [The witness then pointed out and explained the boundary on the map.] On the road from Gooseberry-corner to Cragh there are only two new buildings.

1259. That land is quite distinct from the other Sydenham ground?—I think so; I think it is best to say frankly that it is not improving rapidly at all, and it is doubtful whether it will rapidly improve.

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Mr. John J.  
Montgomery.

Cross-examined by Mr. Ross.

1266. You said the rateable value of No. 1 district, to which I shall only address myself, was £18,000, and you estimated an income from the rates of £3,500. How much is that in the pound?—You are aware that there are two or three rates—shall I give you each—I have not averaged it.

1267. I think you will find it nearly 3s. 6d. in the pound?—That is not the way it is done. There are separate rates.

1268. If you could give me the gross sums I should be glad to—In No. 1 district the rates would be as follows:—General purposes rate £1,500.

1269. CHAIRMAN.—How much in the pound?—2s.; then there is the police rate at 2s. and 1s.

1270. That is for houses over and under £50?—Yes; that amounts to £1,500; then the borough rate at 6d. comes to £450, and if you tot those you will find they come to £3,500.

1271. Mr. Ross.—How much is that in the pound?—It is 2s. and 1s. and 6d. on different quantities of valuation. I will take the average for you if you like.

1272. I wish you would for the purpose of comparing it with the county cost. I want to know the actual percentage of rate that the inhabitants there will be called upon to pay as compared with what they would pay in county cost. Supposing they are not taken into the borough, and supposing they are taken into the borough—I want to know what the comparative cost will be to them?—At 4s. in the pound it would be about £3,600.

1273. It is 4s. in the pound. Of course it is more on some and less on others—is not that so?—Yes, it is.

1274. In fact it is 4s. 6d. on some and less on others?—Yes; but the establishment charges which I referred to would not amount to anything like £2,000.

1275. CHAIRMAN.—What would be the extra cost of the staff?—It would need one or two sanitary inspectors, and road inspectors, and one or two overseers. Well, I should say that the cost of the whole of them would not amount to half that.

1276. Even including what I expect to be included—that you were not to go to extra trouble for nothing?—I could not form any estimate as to that.

1277. And taking it as I suppose we might of a couple of thousand pounds, the district would not feel it at all?—The extra cost won't come on them alone; it will come on the whole of the borough.

1278. What would the £3,000 be on a valuation of £18,000?—It would not be very much.

1279. Would the proportion that the outlying district would have to pay for increased maintenance be anything like what it would have to pay if it had a competent surveyor of its own?—It should be more economical to manage it with one staff instead of two. If I had the management of it it would.

1280. Mr. Ross.—I am talking merely of the maintenance of the roads which, I understand you testify, is done for us at the rate of 2s. or 3s. 3d. by the Grand Jury, which, I will assume, will be properly done under our present system. You charge us so much including all these things?—The maximum rate that can be put upon them, if not lighted would be only 1s. 10½d.

1281. Now, according to your conception of what ought to be done, with great respect you have to add to the 1s. 10½d. the rate for sanitary matters, because what is given us for the 2s. 6d. is only the maintenance and cleansing of roads. Did you tell me that for the maintenance and cleansing of roads there was a sum of £3,262 that would be chargeable upon us, upon our rate, if the district was lighted and watched?—I don't think I did. I will say what I did say, that the maintenance and cleansing of that district in the county Down, if it is all taken in, I would estimate would cost the Town Council £3,262.

1282. Mr. Corbett.—And if the rates do not come up to that the loss would be on the Town Council?—Yes; quite so.

1283. Mr. Ross.—Do you know that the proposed area is nearly three times as large as the present area of Dublin?—I do not.

1284. Going from that district—can you tell me the population of the county Down district?—I have no means of getting at that; it is not in my department.

1285. Is it a largely-populated district?—Not at all; it is a suburban district.

1286. Is not a large portion of it essentially an agricultural tract of country, that will, in all probability, not be built on?—I would describe it as the suburbs of a large and wealthy town, where the agricultural land is gradually becoming used for accommodation ground to villages. And that is really the history of it. It is gradually being used as accommodation ground for villages—the most of it.

1287. As I understand your evidence, the great evil connected, at all events, with the drainage of that district is, that there is not some means of supervision to make people do what reasonable people ought to do?—I think, for the present, that that will be quite sufficient.

1288. Suppose there were a board that would make the people to prevent these very great public nuisances and nuisances you complain of—suppose that could be avoided—don't you think it would answer the present district?—I have said so. I think if there was any proper authority there to make the people do what they should do, you would not have any complaint of nuisances for some time to come. There are not very many; only two or three places, I think.

1289. Are there any nuisances in the district at all at the present time?—Yes. There are complaints along the railway that some sewage flows on the surface there; but I think if you look at what I state, it could not be fairer. What I say is this, that it might go on increasing, and would make the district unwholesome if it were allowed.

1290. Supposing there was a power of examining houses, and of inspecting houses, by a competent person, perhaps an officer of the Local Government Board, do you think all the matters of an offensive character of which complaints are made, would be removed in time?—I think in that way sanitary authority could be quite as efficiently exercised as it could by the Town Council, so far as obtaining a nuisance is concerned.

1291. As I understand, that 4s. 6d. does not include the paving of the streets, road-making, or levelling of footways?—Unless they are new public highways they would be repaired by the owners of each; that is to say, of all roads laid out through building ground, the owners would have to defray the entire cost of those roads.

1292. Is that a serious cost?—Yes.

1293. A large cost?—Yes; of course it is.

1294. About how much a yard?—Now we are coming to a point upon which I hope the Council will exercise a discretion. I hope and believe that if that district is taken in the Town Council will enable me to make rules and regulations for those roads quite different from those of the thoroughfares of Belfast; that is to say, supposing the Council were going to make some new roads along the Blackstaff river, and the owners of property were going to make a road near Belmont, I do not think one should cost nearly as much as the other. I could name a figure—but it might be reduced by one-half.

1295. You say you could name a figure, but that it might be reduced by one-half; what figure would you name?—It might be £4 or £5 per lineal yard—per yard forward of road. Of course, a great deal will depend upon circumstances. Many people tell me they want their footways flagged; others do with slabs or gravel.

1296. It is all in your power?—At present the Council have a discretion as to what sort of materials

they will ask, and they have exercised that discretion.

1291. I believe you have been to Biscanfield?—Yes.

1292. Have you seen the roads there?—Yes.

1293. Have you seen the drainage there?—I only saw some time ago that a sewer was being made out towards the Conservator.

1294. You don't know the particulars of it?—No; very little indeed.

1295. You don't know the roads there?—No.

1296. At all events you would have power to order these roads to be taken up, and made according to your direction?—Suppose on examining these roads they were found not to be such as the surveyor and the Improvement Committee thought would stand the traffic likely to go over them, they would have power to order them to be made in a better way.

1297. And because the roads are not made to perfection the people would be charged over again for those roads?—It is only fair to say that the power has not been exercised. Take the case of Rotundo-avenue, for instance. There was a very bad sewer in Rotundo-avenue, and the Town Council directed me to tinker it up. Now, if that was done in Rotundo-avenue, surely it would be done in Strandtown.

1298. Mr. Swan.—And there is the power of appeal?—Yes; but there has not been an appeal yet. It is only a year in force.

1299. Mr. Swan.—There is a considerable amount of the borough still unbuilt on?—No doubt.

1300. Are there not many miles of streets capable of being laid out here in the borough at present for building ground?—Yes; there are lots of ground that could be laid out, and are being laid out every week.

1301. And that ground has to be sewered?—Yes.

1302. And the estimated rate of the outlying districts will have to be paid?—I am talking of private streets, the whole cost of which is defrayed by the owners of the soil. There are arterial sewers for the purpose of draining those streets I am talking of. In the new streets the owners must do the whole of the works.

1303. Is the whole of the main drainage of Belfast done?—No; there are three kinds of drainage—there is the drainage outfall scheme, there is the main drainage, and the drainage of private roads.

1304. Is there not a large amount of the main drainage to be done?—Of the intermediate kind?

1305. Yes?—There is not very much; we have formed five districts, and the last portion finished was the Ormeau district, and about £50,000 have been expended on arterial and intermediate drainage, so that there is not so very much to do. I should think there is a sixth or seventh of the area yet to be done, which is in the outer zone. The middle of the town is all drained.

1306. Strandtown is laid out chiefly in villa ground?—Yes.

1307. Don't you think there will be on that one-sixth area in town, as much as there will be in the entire district of Strandtown?—In Strandtown, I think, there are ten miles of roads—of public roads. There are ten and a half miles of county roads in Strandtown, those that we should have to adopt and repair. Those ten and a half miles would be sewered in the way you speak of.

1308. That is main sewers?—District sewers.

1309. The third of the cost of which would come off Belfast—off the whole borough?—Yes; but independently of that all other streets would be done by the owners of property out of their own private resources.

1310. Keeping to the main drains, one third of which would be paid by the whole borough—what would they be in Strandtown?—There are ten and a half miles in Strandtown.

1311. And in Belfast how many?—I should think nothing like that. There is only Shankill-road, part of that, part of Falls-road. Roughly speaking,

I don't think there is half as much, but I would rather get some time to look into it.

1312. Is it not a fact, Mr. Montgomery, that taking a large portion of ground, and annexing it to the borough, and being lighted and watched, has the effect of preventing improvement more or less in the district, and sending the improvement over an extended area, and beyond the extreme limit of the borough?—Do you mean that the tax would prohibit building?

1313. Yes, that the effect of your getting power to extend the district, as you propose, would be to injure the property contained in that area?—I think it would cut both ways. I think to some extent it would render it a more desirable place to live in—that has been the reason why some persons would rather pay the tax.

1314. I will presume that it has got lighting and watching. Don't you think that the expense of that heavy charge deters people from building in the Borough?—I think it does, to some extent; I think that men hesitate. I think it might induce people to build within the borough if the rate was the same. But that won't apply to every man—some will go out.

1315. With regard to that, what would you say about a rate in aid from the county to the town. The tendency of that is—assuming your view to be correct—it is liable to be put aside by steam tramways or anything of that kind. It is a very shifting thing, that of distance, is it not?—That is a rough method of looking at it.

1316. Did you not say that it was a reason for your bringing these people in near Belfast—that they enjoyed the benefits of Belfast?—I say again, and I have said it two or three times already, that I do think that those persons living near Belfast—and who generally, even their land in Belfast—I think they should feel that it is their duty to contribute something to the relief of the burdens of the town they live by.

1317. Don't you think they contribute largely when they come in, and spend their money in the town?—That is for their own benefit.

1318. You think there should be a direct charge?—Yes; a direct tax to a certain extent; and when I was thinking anxiously how far out I should recommend the Town Council to go, my idea was, that in some way, the heavy taxation would not be imposed on a very large proportion of that area, that only parts that really were unnecessary, or that were greatly in want of heavy expenditure, should be included, and that that extra cost should be left over for the future, so that there would be no additional taxation at all; and now there is only a taxation of 3s. in the pound.

1319. Is your opinion in favour of a differential rate?—For the same works—lighting, watching, and everything of that sort?

1320. Differential rates between different parts of the town?—Most certainly not; but that heavy taxation should only be put on when the density of the population and the increasing value of a neighbourhood should require that heavy taxation—that some parts should be exempt for a long time to come.

1321. Do you think that the heavy taxation should be put on for the mere purpose of lighting and watching?—I didn't say that.

1322. Do you think it a satisfactory thing to put a heavy charge for the simple use of lighting and watching?—We all know that the thicker and more densely populated a district is the greater the necessity for lighting and watching it; and it seems a convenient way of putting on an additional tax; but I say again that if the outer zone could have been exempt altogether until those things were required, I should have been better pleased.

1323. Do I understand you to say that you would have excessive zones, and you would prevent local bodies having anything to do with improving those places?—I mean publicly—until the vote of the Town

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—  
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Council—that vote being to extend the government out to these zones?—No, sir; I don't think the Town Council could have any such power. I think the inhabitants of the district should have a right to demand from the Local Government Board that they should be included at any time, on a complaint made to the central authority.

1324. Suppose the inhabitants should have power to do this?—What I have endeavoured to say on this question is this—Supposing anywhere within the green line that anyone was able to bring forward a case before the Local Government Board that in a certain district there were frequent burglaries, and that it wanted to be protected, and that the houses there were very densely built, and without sanitary arrangements, that then the Local Government Board should have power to add that district to the borough. That was what I said first of all; but in the meantime it would not be taxed at all.

1325. Don't you think it would be desirable that the people should determine that themselves, or govern themselves, if it could be done?—Then that involves a case we are not considering now. That it does injure a town—a lot of little townships growing up about it, with a variety of rules and regulations of all kinds—I think is generally acknowledged. There is that difficulty, and that seems to be settled now.

1326. Let us turn for one moment to the case of Messrs. Craig and Dixon—that is at Ballyniscart townland?—I don't know myself where it is.

1327. You know of the extension of a portion of Ballyniscart townland. How did the property of Messrs. Craig and Dixon come to be extended?—you did not explain that clearly enough for me—I don't know where Mr. Dixon lives. [The portion in question was then pointed out by the witness on the map.]

1328. Is it not a matter of fact that in your calculation you considered any of the necessities of the place? Did you consider how it would pay the Town Council to take them in with regard to the roads?—I think I have endeavoured to show that I did what was fair to the people outside as well as in. I think it would be unfair to put a tax on people two or three miles out, on people who would, if they attended to sanitary matters, not be taxed for years.

1329. CHAIRMAN.—It is as well to have an answer from you on this point, because an intimation was thrown out with reference to it at an earlier stage of the inquiry. Is there the slightest foundation for intimating that you drew a line at that particular place, because Messrs. Dixon and Craig were members of the Corporation?—I think I am in the confidence of the Improvement Committee. I was at every meeting, and I have heard Mr. Dixon complain we went too far, but I do not believe he was ever considered in fixing that line; and I did not know until two or three days ago that he owned that property. Mr. Craig is not a Town Councillor.

1330. Had you anything in your mind to leave Mr. Dixon out, or to have Mr. Craig left out?—No, the least.

1331. Mr. Ross.—You say you were at the meetings of the Improvement Committee?—Yes.

1332. Was there any difference of opinion as to the extension?—At first they were greatly at sea—in fact, they broke up without coming to any conclusion until I got time to look into the matter; and I advised them, and I think they were guided by my advice.

1333. Was there any difference of opinion about making the extension?—It was left to me, so much so that I could not say that there was any advice given me by them.

1334. Was there any difficulty?—No; they said "they would leave it to Mr. Montgomery to advise them."

1335. And they acted upon your suggestion?—I had not suggested anything then.

1336. But afterwards, I understood you to say, they depended very much on your advice?—They did.

1337. And eventually they were largely guided by your advice?—Yes.

1338. Do you know how many houses there are in that district?—I do not, I only know the valuation; but, as I have said before, it is a rural suburban district. I think we now understand what it is.

1339. With regard to the little piece of Lord Downshire's property that is introduced, had the question of the mill in the centre anything to do with its being included in the borough boundary?—I think it had.

1340. Why?—Well, I think it is more likely to be built on where there is a mill.

1341. Did the valuation of the property guide you in any way?—That was what it was that guided me, and the probability that it would be built on.

1342. Those two considerations?—Yes.

1343. CHAIRMAN.—I presume that mill draws its supplies almost exclusively from Belfast—is it worked by steam?—I don't know.

1344. If it is, I suppose it gets its coal, &c. from Belfast?—I don't know.

1345. Mr. Ross.—I understood you to say that you had looked at the Connawater?—Yes, when the men were building the sewer.

1346. Did you see any nuisance coming down there?—I am not prepared to say that there is not a nuisance there now.

1347. Taking the original drainage scheme—you said you calculated the cost at £150,000—have you made any calculation as to what outlay would be required for the main drainage scheme for the Antrim side, to deliver the sewage in such a way as you consider it must be delivered, so as not to leave a nuisance?—That is all in the printed report.

1348. Give me the figures?—The first estimate was £150,000.

1349. And you condemned that?—Not at all. That was the first instalment of the works, and I advised that the sewers should not be allowed to discharge at the end of the Twelfth Islands, except as a temporary outfall, and then it became necessary to get rid of that sewage.

1350. And what was the cost of that estimate?—I cannot give you that.

1351. Have you made any estimate of the cost of getting rid of that sewage?—I think in the year 1870 I did make some estimates for the purpose, but when we were going to Parliament to lodge the estimates, they were only lodged for a portion of the works. I will look up the estimates and show them to you.

1352. Have you made any estimate as to the cost of what the entire and complete scheme of sewers would be for the Antrim district?—Yes; in February, 1875, another report was made to the Council, and in that report I find that the intercepting sewers were put down in 1875 at £300,000. That is the only estimate that was made then for sewerage purposes.

1353. Is that for the Antrim side alone?—Oh, no; for the whole borough the estimate was £300,000. Then the cost of utilizing the sewage. There was no scheme prepared for that, and, therefore, no estimate was made.

1354. Would you leave the sewage after having spent £300,000—what would you do with it, and what would be the cost of getting rid of it?—We have never estimated that.

1355. You have never estimated that?—Never.

1356. Would not the cost of it be an incalculable amount?—I don't know what scheme would have been adopted, or what the cost would have been. Sir John Hawkshaw advised that a main sewer should be taken down near Carrickfergus and emptied there, and that would have cost £100,000 extra alone.

1357. Would that be for one side of the town?—Both, the entire borough; but I didn't agree to it.

1358. You have never estimated the cost. The only estimate is his of £100,000?—For a scheme that the Council did not approve of.



1359. Do you know the Carranwater river?—Yes.  
1360. Don't you think that for the district beyond, that the natural outfall of it is on the other side of the river?—Yes.

1361. And not to bring the sewage for all this part is Ballymasarett?—That is my opinion; but some people think it should be brought to one place. Do you mean bringing the sewage to the Antrim side?

1362. No, I am speaking only of the present boundary of the Carranwater. Is it not the natural outlet for the drainage districts on the other side to be delivered on to the other side—down to the Carranwater, and not brought along to the Ballymasarett side?—I would not follow the natural way if an artificial way was better.

1363. Is it not possible to have a reasonable and moderate discharge of the sewage at the other side of the Carranwater?—Yes; if it be ultimately decided to apply the sewage to land, there could be; it might be possible to bring it to one place. Many large towns have two or three outlets, and it might be advisable to have two or three for Belfast, but it has not been considered yet.

1364. I understand you to say that the irrigation scheme was abandoned?—Yes, utterly abandoned.

Cross-examined by Mr. Webb.

1365. You don't seem to be a very enthusiastic supporter of the scheme for increasing and lighting this district at once?—I should prefer that a small area were taken in now, and that we could get power to extend, without promoting a private bill for the purpose; but if we cannot, I will go in wholly for the given line.

1366. That is only in case you don't get other power?—Yes.

1367. Do you think it would be advantageous to the district that the Town Council should have power themselves—without reference to any other authority, or the opinion of the people—to include within their boundary the suburbs, or part of the suburbs?—No; we voluntarily gave that up, and allowed in our last bill a right of appeal from the decision of the Council.

1368. What is the right of appeal?—To Quarter Sessions.

1369. Is it an appeal to the magistrates?—To the chairman of the county.

1370. Who is at present one of the paid officers of the Corporation?—He is a very hard one to manage.

1371. Then the appeal is from the Town Council to the Recorder—a gentleman who is paid £500 a year by the Corporation?—Yes.

1372. Has any such appeal ever hitherto been taken?—No; not yet.

1373. Do you know this district of Upper and Lower Malone?—I do.

1374. It is a villa district?—Yes; substantially.

1375. Do you know how many farms there are upon it, and what the extent of them is?—I do not.

1376. Do you know that the population of the whole district is only 1,000, or under it?—It must be very small.

1377. And you have given the area, which is 1,300 acres?—I think the area and valuation are correct.

1378. In point of fact, the thickly populated place you want to add has one inhabitant for every acre?—I know it is not densely populated.

1379. Is it one of the advantages you intend to give to it—that you would give them better drainage?—Yes.

1380. Of course Belfast is admirably drained at present?—It is very well drained—always excepting what I have already told you—the discharge of the sewage into the river, which I entirely object to.

1381. Can you tell me, in your opinion, a worse drained town in the three kingdoms than Belfast?—I don't know a better, so far as all the new works that have been carried out are concerned.

1382. I am not talking about new works; I am

talking about the general effect. You then consider that Belfast is satisfactorily drained?—Almost every street in Belfast is drained.

1383. Do you remember these words: "The quantity of sewage discharged into these streams during excessive rainfall is very great, and this, too, at the time when they are gorged by the floods from the hills." Is that correct?—Yes.

1384. And you wrote that yourself?—Yes.

1385. And you wrote that in 1865?—Yes.

1386. Has any portion of the intercepting sewer scheme been carried out since then?—A large portion.

1387. A large portion of the intercepting scheme?—Yes.

1388. Which of them?—I think the whole of them have been carried out—on the Antrim and Crumlin roads.

1389. These are district sewers—I am asking about intercepting sewers?—None of them.

1390. Has the high intercepting sewer on the plans been carried out?—That has not been carried out.

1391. And the estimate for the low-lying intercepting sewer was how much?—£140,000.

1392. And for the high level sewer?—£80,000.

1393. And how much for the other?—£140,000 for the other—that is the last estimate.

1394. And how were you to get the matter from one into the other—how were you to get the sewage matter from the lower into the higher level sewer?—At the harbour.

1395. What was the cost of that?—I really can't remember; I believe the total is £200,000.

1396. Then I am to understand that the works you recommended as absolutely necessary in 1865 at a cost of £200,000, nothing has been done to carry them out since then?—There are two reports, and I didn't wish to confound them.

1397. I am speaking of the report of 1865?—That was for £150,000.

1398. How many miles of streets are there in the town unpaved, undrained, and unserved?—Very few.

1399. How many?—I don't know. There are about eight hundred that have been paved, sewered, and drained under my superintendence since 1865.

1400. You can't tell how many there are?—There are very few streets in Belfast that are not sewered.

1401. And paved and drained?—Very few, indeed.

1402. Can you tell me the extent of them?—There are very few, indeed.

1403. How many miles?—I cannot say.

1404. Are there any built on that that are unpaved?—There are some that the Council have ordered to be sewered and paved for five or six years, and owing to bankruptcy, beggary, and one thing or another, we cannot get the owners to do the work.

1405. What is the extent of the district within the present borough that is not lighted at all?—Very small, indeed—only the purely agricultural district.

1406. Can you tell me the sewage of that district?—No.

1407. Part of that district is contiguous to the Malone district?—Very little. I think the lights go to the borough boundary on the Malone road.

1408. But I am talking of lower down—to the bog meadows?—You could not light those.

1409. Do you propose to bring them into the town?—Well, I am quite willing to give up the bog meadows. I am sorry I didn't make a horse-shoe line, and leave them out.

1410. The bog meadows you proposed to take in, because at some time or other they might erect some works upon that land?—I did not say so. I said one reason why they might be taken in was that if ever sewage utilization works were adopted for the Black-

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staff Valley, they might be used, but I don't set much value upon that.

1411. You don't consider that a sufficient reason for taking them in?—It does not matter whether they are taken in or not.

1412. There are three or four roads going up to the new district you propose to add?—In Malone?

1413. Yes?—Yes, three roads.

1414. Have you brought up the drainage to the boundary there?—No.

1415. Can you bring it up to the boundary?—We could, but I would not advise it.

1416. In no case have you brought your drains up to your present boundary?—On the Malone road it is brought to the boundary.

1417. But then in the case of two main roads, leading out of the town, you have not brought the sewer to the boundary, and do not consider it advisable to do so?—I think it would be better for me to say what is really the fact. After travelling thirty feet deep on those two roads—the sewers I have constructed are thirty feet deep—and the Town Council would not allow us to go any deeper with those sewers—we did not think there was to be any extension of the borough within any moderate time, and thirty feet was considered quite deep enough to go. The road you allude to falls in the other direction, away from the town, and the natural way to drain it would be to drain it by the Blackstaff Valley, and I would not recommend a sewer deeper than thirty feet for the present.

1418. And you do not recommend any further drainage there for the present?—No.

1419. Is there any immediate need for drainage at all?—I don't see any immediate need for it at all. There was a need, and we have allowed the owners of villas there to make use of the main sewer.

1420. That was on the other side, the Windsor road?—Yes; but then inside the borough we must drain by the Blackstaff valley.

1421. There would be great difficulty in connecting this district of Malone with the borough drainage?—There would be no difficulty, in an engineering point of view; but bringing the sewer up the Blackstaff valley would be undesirable. I would rather make the drainage of the Malone district a separate system.

1422. Do you know the class of houses in Malone?—Yes; they are a very good class.

1423. Do you know any street there?—There is Mr. Handcock's property, but that is more an avenue than a street.

1424. Do you know any street there—what is properly called a street?—There is not one of those streets that is paved, or has the usual adjuncts of a street in town. It is an avenue leading to villas, or whatever houses are built there.

1425. And you can't tell the number of them?—I suppose—I am sure there are twenty.

1426. They are villas standing in their own grounds?—Yes.

1427. And standing more than twenty-five or thirty feet high?—Yes.

1428. There is no reason why you should interfere with the buildings, so far as they have been already erected?—I would not propose to meddle with any buildings erected.

1429. Or if a place was erected in the same way as they are, there would be no cause for interference?—I don't know.

1430. As far as you know?—I think not. I think if a villa was erected there, and a cesspool attached to it that was not properly constructed, it might injure the neighbourhood.

1431. Have you found any injury from that hitherto?—No; not in that class of property; but such a thing might occur.

1432. You have spoken about the cost of watching and lighting, in addition to maintenance, how do you estimate the cost of watching, as confined to the Malone district?—I have estimated £250 for watching.

1433. How do you arrive at that?—Well, I have not a very good basis for it.

1434. It is a mere guess, in point of fact?—It is.

1435. Do you know they are watched at present by the county, and that the amount for that is included in the county cost?—I don't think they are properly watched at present. The only basis I had to go on was this—Long ago, when we had the police force ourselves, my estimate per mile for the road was £50 for watching. There are five and a half miles in the district, of public roads, five and a half miles of public county roads, over and above those private streets, and I would think that £50 per mile is a fair estimate.

1436. That is an estimate formed on the cost of the old police force, they are double as costly now?—I have considered that the Government will pay a portion of the charge. I think that £50 per mile for the public highways only, in a district like the Malone road, is a moderate estimate.

1437. As a policeman costs about £45 a man, you have given one a mile?—Yes; about that.

1438. Have you made any deduction from that of the watching they get at present?—I have not gone into the minutiae of the thing at all.

1439. Are you sure they would be better watched than at present?—I am.

1440. Do they need better watching?—That is a question I have given no opinion on at all. I have told you already that if I could see any advantage taken in this outer district, I would much rather, than say they should pay 4s. 6d. in the pound.

1441. Don't you know there is night patrolling in the country?—But not the same as in the town. If this place is lighted and watched, the watching will be more expensive than it is now.

1442. But you are making no allowance whatever for the watching they get at present?—It is such a small item of the £250, as compared with the capital account, the interest on money spent, &c.

1443. The lighting the district is the only new thing they get, except the watching, which you think they do not much require?—The cost of the lighting I estimate would be £375.

1444. Have you estimated the cost of erecting the lamps?—That we never do in Belfast.

1445. You could not tell how much it would be?—I don't know that the mains are laid yet.

1446. Do you know what it would cost the Town Council supposing they do light the place?—I do not; but £375 is a fair estimate.

1447. How many lamps would there be?—180.

1448. A long what length of road?—Five and three tenths miles.

1449. You cannot tell what the original cost of lighting would be—the original outlay upon the lighting would be—is that so?—The cost of laying the mains.

1450. Yes, and putting up the lamps?—No; I do not lay any of the mains myself.

1451. As I understand you this is an outlay that you are not prepared to say what it will be, and the Town Council could raise the taxes upon those people at any time from 2s. to 4s. 6d.?—I didn't say so.

1452. It is not so?—It is not.

1453. Why?—Because there is an appeal from the order of the Council.

1454. Subject to the appeal the Town Council at their discretion at any moment, by expending an amount the extent of which you are not able to state, could increase the rate from 2s. to 4s. 6d.?—Certainly.

1455. And that against the will of the district?—There is no doubt they could.

1456. Do you think it should be left to the unlimited discretion of the Town Council to include any portion of a district in that way?—I think it is better to have the right of appeal.

1457. Do you think that, subject to that appeal, they should have the power to add this district at any time?—I do.

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1455. Do you think it is advantageous to a place where buildings may or may not be erected, that the Town Council exercise the power to increase the rates from 2s. to 4s. 6d. ?—I do.

1456. You think then it is?—Yes, assuming the Town Council exercise a proper discretion.

1457. Are there any shops here in the district of Malone?—I think not.

1458. There is a public-house?—It is a rural suburban district—a rural district.

1459. There is no town?—There are a few cottages there—that is all. It is entirely a rural district. It is a very nice district, and improving.

1460. You say it is just that the people who live in that district, and have their trade in the town should pay part of the taxes in the town?—Should bear a portion of the burdens of the town.

1461. You know Mr. Black said that didn't influence him at all?—I am only giving you my opinion.

1462. Do you know that the valuation of the town is four times as much as it is outside it?—I dare say it is; but suppose a gentleman like Mr. Black pays £20 or £30 a year for his office, and his residence is worth £300 a year outside, why should he not pay something for cutting up the roads? I think that everyone admits that people living near a great town like this should pay something; the only question is that they think the taxation is going up too high.

1463. Don't you think that the owner of land, as well as the owner of a house, which is near the town should pay something also?—If he owns his living in Belfast I think he ought.

1464. Even a market gardener who sells his produce in the town?—Now you are coming to another method—the Parisian method of taxing food.

1465. I am speaking of the produce of the land itself; should the farmer pay a portion of the taxes in lieu of his use of the town?—Well, I have not considered that question. I hope we shall not tax the farmers to any extent.

1466. Should not the owners of land as well as of houses pay their share of the burdens of the town?—I have tried to confine myself to land used for residences only.

1467. For residences only?—Yes.

1468. Do you think it just that the people to be brought in should pay part of the superannuation of the old police?—There is none of that now.

1469. I beg your pardon?—It is not worth speaking of.

1470. Is it not some £300 to £600 a year?—It is very small.

1471. Is it just they should pay that?—I could not go into all these ramifications.

1472. Do you think the people outside should pay for the main drainage of Belfast?—I think if they avail themselves of it they ought.

1473. But take the district I am dealing with, you say it should be a distinct drainage scheme?—I didn't say that.

1474. Didn't you say that?—No.

1475. What did you say, please?—What I say is this, and what I did say was this, that the whole borough, even with the extensions, can probably be drained in such a way that all the sewage could be concentrated for the purpose of utilization; that it might be so, but that it would be possible to drain the Strandtown district separately.

1476. Would it not be possible to drain the Malone district separately?—You are talking of the Blackstaff valley?

1477. Yes?—I said it might be possible to drain that valley by itself—to make it a separate system by itself, but really, until the scheme for the whole district is prepared, I could not pledge myself to any view on the subject.

1478. Would it be fair to the Malone people, who do not require drainage, that they should be brought in to pay their share of the main drainage? Are you aware that that district is polluting the Blackstaff?—I think it is very fair and very just; and, moreover, if the inhabitants object to sewage works in the valley, there will be no remedy for it but to bring a good sewer from the Blackstaff Valley to the sea. At present they are polluting the valley.

1479. Is it, in your opinion, just that the people of the Malone district, if added to the municipality, should pay the cost of the high and low level sewers?—I do, if they avail themselves of them.

1480. And not otherwise?—And otherwise. They should. My idea is that the whole borough is a co-partnership, and that they should bear their share.

1481. Do you think the new members should bear the burdens of the old partners?—I do, if they get the advantages.

1482. Do you think it just that the Malone district should pay its share of the district rate for the Council district?—I would, if the Council paid its share of the Malone district.

1483. But is it to do so?—It will, of course.

1484. Why?—One third of that goes over the whole borough.

1485. And if you propose to light and drain the Malone district, because at some indefinite time the Malone district might derive some advantage from the town, there is not to be any delay in making them contribute?—I think so, is a very moderate charge to impose upon them; and if they do wisely and well they can get off the rest for a considerable period.

1486. Do you think it just that more than £28,000, due on the general purposes fund, should be borne by the people of the Malone district also?—What was that paid for?

1487. For drainage and police?—I do. I think every part of the borough should bear its proportion.

1488. Do you consider it just that when a partnership is in debt to the extent of £28,000 that the new partners should take their share of it?—I think that those partners have a share in the drainage. I think the Council could be compelled to drain the district.

1489. Would they be compelled to light and watch it?—I don't know that.

1490. Would you advise the Council to light and drain when they get the full amount of the taxes?—No.

1491. Then, if I understand you, they won't think of operating until it pays them?—I don't think any necessity will arise immediately for sanitary works and appliances in any district. If it did, I would advise the Council to do that work, even if it cost them money out of pocket.

1492. I am asking about the lighting and watching. To enable the Corporation to demand the full rate, is the Corporation to be at liberty to take them whenever they think it would pay them?—No.

1493. What limit would you put upon that?—There is an appeal from their decision, as you are already aware.

1494. There is no appeal from their decision not to do it. There is an appeal from their decision to do it. Would you put any limit on the time within which they should include these districts, if they include them at all?—I don't think I would.

1495. And the Corporation would have power to wait until they make a profit out of the lighting and watching?—I don't say they would, if the inhabitants would like it.

1496. But they would have the power?—Yes.

1497. Supposing the law to remain as it now is?—Yes.

The inquiry then adjourned until next day.

## BELFAST—FOURTH DAY.—SATURDAY, AUGUST 9th, 1879.

DEBATE.  
Aug. 9, 1879.  
Mr. John J.  
Montgomery.

Mr. MONTGOMERY, Borough Surveyor, cross-examined.

1502. Mr. O'Connell.—What objection is there to leave out the townland of Knock from the extension scheme?—The same argument would apply to leaving out any other part of the districts. It is likely to be pretty well built upon, and there are, in fact, a good many buildings upon it now—twenty-six good houses.

1503. Are you aware that Knock contains several farms like those of Mr. Bruce's, Mr. Freeman's, and Mr. McCann's, held by agricultural leases for life?—I have no doubt that is so—I know Mr. Freeman's farm.

1504. I believe the whole townland contains 383 acres?—Yes.

1505. Are you aware that these three agricultural farms are one-half of the whole townland?—I was not.

1506. CHAIRMAN.—Who is the landlord of the Knock?—

Mr. O'Connell.—Sir Thomas McClure and Mr. Cleland.

1507. (To Witness).—Why should the extension by taking in the townland of Knock break into a new electoral division?—The fact is, I gave up the question of electoral divisions as inconvenient, I thought the borough boundary was quite as good.

1508. Is not the Knock river an excellent boundary for the Ballymacnure electoral division?—It is, physically, quite as good a boundary as the other.

1509. Then, if you omit the townland of Knock, you have an excellent boundary?—Yes.

1510. CHAIRMAN.—According to the map before us—just close to the Knock station, if you follow the electoral division of Ballymacnure, you leave a portion of the railway inside and a portion outside?—Yes; a small portion.

1511. Would not that be inconvenient?—I do not know.

1512. Mr. O'Connell.—There is no reason why the electoral division should not be pursued in this instance; a remarkably good boundary is the Knock river. Then I may take it, Mr. Montgomery, that cutting off the townland of Knock would not materially injure your plans for extension?—I don't say so; it is as likely a portion to be built upon as any other, and it will build upon at present.

1513. These green lines (on plan) represent the extreme limits of the extension?—Yes; at present. I should some day advise an extension out further, but not at present. I think half the area might be dropped out at present, if the Local Government Board could hereafter enable us to stretch it to the extreme limit.

1514. We have heard all that before. Could not a good boundary be formed by pursuing the electoral division to the Knock river, round to Killeen Cottage?—I thought the present boundary a better one.

1515. Could not almost an equally good boundary be formed by following the Knock river round by Killeen Point; take the line, say, round by Castlehill, to Killeen Cottage, then a straight line across the fields?—That would be a bad boundary across the fields.

1516. Now, could not, substantially, a better boundary than you are going for be got in the electoral division of Ballymacnure?—No.

1517. What part is outside it except Knock?—None.

1518. And I have shown that half of Knock is held for life under agricultural leases, which only leaves about 100 acres, and it might be left out.

1519. Witness.—The land will come in at the reduced rate.

1520. But why should the electoral division be broken in upon? Is not Knock the most remote of the extensions?—No.

1521. Well, one of the most remote?—No.

1522. If Knock were left out without pursuing the electoral division further than Mount Pleasant or

Thornhill, it would still make a more scientific boundary to go as far as the Castlehill-road to Killeen Cottage?—If that road was likely to be built upon within twenty years, I would take it in. The new road leading from Thornhill to Killeen Cottage should be taken in unless we have clear proof that it will not be built upon for twenty years.

1523. To the CHAIRMAN.—That's the Castlehill-road; you will observe that the Ordnance sheet does not show any of these new roads, but I have drawn in all the new roads and buildings on that plan upon the wall. I hope if it is within your power that you will recommend that the Ordnance plan of the borough be extended to take in the new district. The present plan of Belfast stops at the borough boundary. I have no plan to work upon outside. The town plan only includes the borough, and if you add 10 per cent to the borough it is absolutely necessary that the Ordnance plan should be extended.

1524. CHAIRMAN.—I have no doubt they will do that, but they may take years and years to do it.

1525. Mr. O'Connell.—Outside the ten and a half miles of the county roads in the Stranishmore district, how many miles are there of roads that would be "streets" within the meaning of the Act?—Several miles. I have not estimated those that are not to be required.

1526. A good many miles say?—Yes.

1527. Leaving out the Knock, substantially the whole of the area of this extension lies between the two lines of railway—the Belfast and Bangor, and the Belfast and County Down?—Yes; by far the greater portion does.

1528. The chief access to that large area between the railways is through Ballymacnure, to this junction of the Holywood and Newtownards roads, at Camowater Bridge?—Yes.

1529. And, therefore, to get into that extensive area, that is the principal approach?—That is the principal approach.

1530. So that by means of the two railways and the approach to it, it is substantially an isolated district?—Between the two railways?

1531. Yes?—Isolated as regards what?—Belfast and Ballymacnure?

1532. Isolated as regards Belfast itself—there never can be any continuous street or thoroughfare directly from Belfast into it?—Because of the railway?

1533. Mr. CORRY.—That's saying that a railway cannot cross a street.

1534. Mr. O'Connell.—In this particular instance the railway is as high as a house; it is an obstacle in the way of making any new road?—It is.

1535. To carry out a continuous thoroughfare would involve great expense?—There is a crossing at Knock station.

1536. That's very far up; now, leaving out Knock, I am asking is not that an isolated district. If the Commissioners saw the district they would see how disconnected it is with the district of Ballymacnure?—These streets, through Mr. Boyd's property, will give access to the district.

1537. Yes, through the district itself, but not access to Ballymacnure; it is not Ballymacnure one of the most low-lying districts of Belfast?—It is.

1538. It contains many manufacturing?—Well, Ballymacnure is principally occupied, I should say, with houses of the industrial classes.

1539. But doesn't it contain chemical manufactories?—Yes; two or three.

1540. It is one of the thickly populated industrial districts?—Yes.

1541. And very low-lying?—Yes, most of it.

1542. Then this district between the railways is a vile district?—It is, substantially.

1543. There never would be any incitement to connect the two things—the one industrial and the other villa—I would rather not see the classes entirely separated.

1544. Yes, but we know what are really the facts!—Well, they are beginning to build workmen's houses there at the foot of the hill.

1545. Then this area that we are speaking of is rising ground suitable for villa residences?—It is a very nice district, indeed.

1546. It rises above Ballynacorett?—I will praise it in any way you like. It is really very nice.

1547. Are you correct in saying that these workers' houses are beyond the arch?—I did not say that; they are at Broomfield. They are not contained within the railways.

1548. I am correct in saying that substantially the whole of the area within the railways consists of gentlemen's residences?—There is the little hamlet of Broomfield, but substantially it is of the class you speak of.

1549. And substantially Ballynacorett is workmen's houses?—Substantially it is.

1550. Do you not know, as a matter of fact, that the letting value of this area between the railways has been greatly diminished by reason of Ballynacorett?—How could I say that?

1551. Put it this way: Its proximity to Belfast is what has given it value in the first instance, but because there is a neglected suburb of Belfast for many years it has depreciated that property, forming a bad approach to it?—I think, in a great measure, that is true; but are you aware that Ballynacorett, since the Town Council has taken it in hand, has been much altered from that state of things? To give you an example, I could not have walked out to Mr. Black's house without getting all dirtied, until I took charge of the road, and had the footway gravelled and curbed, and that of itself has done away with the objection that attached to the district, to a large extent.

1552. But the letting value is much depreciated by reason of the district to go through. If it was a district like that going to Windsor all the way out it would be higher?—It might.

1553. This district is practically cut off from other districts in Belfast by this low-lying district?—I should not like to put it that way.

1554. CHAIRMAN.—Must not gentlemen in this villa district drive through Ballynacorett?—Yes.

1555. Is it not of the greatest advantage to them that Ballynacorett be kept in order by the Town Council?

1556. Mr. O'Connell.—We contend that the Town Council have enough to do with Ballynacorett for the next twenty years.

1557. How long has Ballynacorett been under the Town Council?—Since 1868.

1558. Have not these villas sprung up since?—Yes; but before 1868 some of the best were built. It has been improving for twenty years. The letting value is not lower than in other suburbs—say £8 or £9 an acre.

1559. It does not let for that?—Some of it did. Take the case of my friend, the late Mr. Cosgrave: he looked round the borough, and spoke to me, with Mr. Daville and others, about a site, and he ultimately elected to go to this district and build a villa there. He paid £9 an acre, I think, for a large area.

1560. He thought he was safe from the Town Council?—I do not remember him saying so.

1561. Under one of the statutes the Council undertook to spend £1,000 upon Ballynacorett; did they ever spend that sum?—They did, and far more. It was I calculated that sum, and laid the estimate before Parliament. It was £6,000 for footways, curbs, and channels; but I have laid out a good deal more than that.

1562. How many empty houses are there now in the borough?—I don't know; but I have seen bills on many houses. Trade has been bad here for some time; but I am as much beset with proposals to build

as ever I was. There are as many buildings now going on as ever there were.

1563. Practically, the people want to leave the town, as they are leaving Dublin?—We are building rather too much, I think.

1564. What is the length and breadth of Halliday's road?—It's a long narrow road, rather irregular in breadth; I suppose you might take it as twenty-five feet average. I speak from memory: it is narrow and long—an old accommodation road; it is 100 years old, I dare say.

1565. What distance is it in length?—It's so hard to recollect these things; it is about 390 or 400 yards.

1566. It's in the borough?—It is, off the Antrim road, near Donaghua Church.

1567. How many miles of roads in Stranmillis are the same substantially as Halliday's road—are substantially of the same character?—They are not the same, so I would look at it.

1568. But substantially how many are of a similar character?—The new roads in Stranmillis district are new roads laid out by Sir Thomas McCune for his building estate?—In a temporary way—they are. This Halliday's road was an old farm road, probably 100 years old, and people have squatted along it. I myself objected to building going on, and that was the beginning of the row that occurred—you ought not to compare them. But I am willing to say there are a good many new roads laid out through the Stranmillis district that want repairs or something done to them.

1569. Then there are buildings along Halliday's road within the borough?—Yes.

1570. And the statute exempts the owners from paving, flagging, or other responsibilities in regard to it?—Until they begin building upon it.

1571. Not at all. Listen to this: "Nothing in this Act shall empower the Corporation to order the accommodation road, known as Halliday's road, to be paved, sewered, or completed at the expense of the owners?"—Is there not something tacked on to that?

1572. Nothing?—Then there is another section. They cannot build upon it.

1573. You see the Knock river where it joins the Carravogue; would not that form a separate drainage system?—Now you are going into a question of levelling that I have not gone into; I will not give any engineering answer.

1574. Carravogue falls into the sea here, and this area is hilly ground to the right of it; won't that form a separate drainage system?—No.

1575. CHAIRMAN.—But would it form a sewerage system; you cannot discharge into Carravogue and say it will send it out to the sea?

1576. Mr. O'Connell.—Whatever system is pursued with regard to it will be separate?—I would not say so.

1577. But it can be managed as a separate district?—I cannot say until I get the levels.

1578. Then when you advocate the extension it is not in the drainage system?—There should be one authority over such neighbourhoods as this, so that one authority should not undo what another had done. If Stranmillis poured its sewage into Belfast Lough, after Belfast had spent £200,000 to improve it, it would be a great mistake. To make them do right there should be one authority over all.

1579. Why could it not be managed under the Public Health Act of 1878?—I don't say it could not.

1580. That would not have any of the objections of starting a township?

1581. CHAIRMAN.—Nobody said sanitary work could not be done under the sanitary authority.

1582. Mr. O'Connell.—It would do away with the objection of starting a township.

1583. CHAIRMAN.—They can do little more under that Act than they could in 1874.

1584. Mr. O'Connell.—How far does the tide affect Carravogue?—It is a tidal river?—It is. I have not

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examined that river as an engineer, but I think the tide goes up a mile, or a mile and a half.

1585. Then it is a tidal river beyond the point of contact of this district with Ballymacarrett?—Yes. Do you mean sewage can be discharged into the tide?

1586. Of course it can be so discharged into the tide by proper works, as to prevent it being a nuisance?—By sewage works.

1587. CHAIRMAN.—That is a big engineering question!—That may have to be done, but I should be sorry to see sewage works established within this borough.

Cross-examined by Mr. Hoss M'Moide.

1588. You think that Fortwilliam Park and Chickster Park should be included in the borough?—Yes.

1589. On what grounds?—I think a main sewer ought to be constructed to take the sewage of these houses far out into Belfast Lough, or else to utilize the sewage in some way, so as not to pollute the neighbourhood of the Northern Cemetery.

1590. Is that the only ground?—That's one reason only. I think, in the first place, they should contribute to the large drainage scheme; secondly, they should be under the control of the sanitary officers, and of the engineering department. They are so close to Belfast I think it would be only fair that they should be put under the same rules and regulations as the town; and, again, this is my own opinion, and not the opinion of the Corporation, I think that everyone who derives his income from Belfast should bear the burdens of Belfast if he lives close to the town. These are my principal reasons.

1591. Supposing you had got Fortwilliam Park included, how would you construct the main sewer so as to obviate the objections you mention, as to the deposit of sewage at the Northern Cemetery?—My proposal is included in the published plan of 1866. It was to construct a deep sewer to convey the sewage to the sea channel, and to collect it in a reservoir in such a way that the reservoir would discharge at the top of the tide, and thus the sewage would be carried away to sea.

1592. That sewer would run round the Shore-road?—Yes.

1593. Supposing the gates of Fortwilliam Park, which is private property, were kept closed, how would you carry out your arrangements?—I have power to get any gates within the borough opened. If the Council made an order to make the sewer there, the gates would be opened, I am sure, quite civilly to me.

1594. Are you aware that an excellent sewer has been made for the purpose of carrying off the sewage there?—I believe so, but it flows over the sea marsh.

1595. But suppose you construct your main drainage sewer round the Shore-road, would that discharge the sewage matter into the main drainage channel?—Certainly.

1596. So that there would be no remaining collection of sewage?—Yes.

1597. So that to completely obviate the objection, you urge, as to the deposit of sewage matter on the sloe lands at the terminus, all you have to do is to carry out your own main drainage scheme?—We would not let people have the benefit of the scheme if they did not pay towards it.

1598. Suppose you did not extend the borough at all in that direction to carry out the main drainage scheme, would not the carrying out of that scheme completely obviate the objection as to the deposit of sewage matter on the sloe land?—No; we would have to extend the sewer outside the borough boundary further than we intended, and we have no power to do that. Fortwilliam is outside the borough, but you would have to go a little further to catch this drainage.

1599. Could you not by a slight deflection of the present sewer?—Oh, clearly.

1600. Then you would have a drainage without objection?—Assuming that you allowed people to make use of the public sewers, although they are outside the town.

1601. You are aware, however, that there is a recent Act authorising the construction of sanitary districts?—Yes.

1602. And you are aware that the authority bearing charge of that district could get an order from the Local Government Board enabling them to use the sewers of the adjoining districts?—Yes. It could be met in that way.

1603. CHAIRMAN.—On such terms as the Board think right. Do you think that any Board would make an order that the Corporation should get rid of the sewage of the Fortwilliam district at the expense of the people of Belfast, without costing the inhabitants of Fortwilliam one farthing?

1604. Mr. M'Moide.—Don't for one moment understand me to be asking for any privilege that we don't intend to pay for.

1605. Mr. CORRY.—In the present sewer large enough to take the sewage of Fortwilliam?—It is. There is no sewer on the Shore-road. The scheme is to make a large sewer which will drain Fortwilliam Park, but I propose that its occupants should be included in the borough, and should contribute to the cost of this great proposed sewer.

1606. There is a main sewer which only requires a little addition to connect it with this other sewer?—Yes, that applies to the Antrim-road and the higher portion of the district.

1607. Mr. M'Moide.—The drainage of Fortwilliam is equal to the emergency, but it deposits it in a wrong place, and, by a slight addition to the sewer, you would carry it off entirely?—Yes; physically.

1608. Well, we will confine ourselves to the physical removal. As regards Chickster Park, is there not a sewer constructed along the Antrim-road, coming almost to the Battermill Lough?—Yes.

1609. That sewer comes, I believe, within seven yards of the borough sewer?—The borough sewer comes close to the sewer that drains Chickster Park.

1610. Supposing that sewer constructed for the Chickster Park people were connected with the borough sewer, would there be any objection at all to the drainage of Chickster Park?—No; that is all that is wanted. Chickster Park is a mile from its outlet, and its drainage has to pass through Fortwilliam Park. Deputations have waited upon the Town Council to overcome that difficulty, and I thought Mr. Young, on behalf of the inhabitants, had settled it with me long ago, but it is not done yet.

1611. You have heard that the Poor Law Guardians, diligent enough in looking after some people in the workhouse, were not ready or disposed to remedy difficulties up there?—I believe so.

1612. But don't you think if application were made to the Local Government Board, that the Town Council might be met and this difficulty removed by the expenditure of a few pounds?—Yes; but I object to the laying out the money of Belfast to provide cheap methods of getting rid of nuisance for people outside the borough.

1613. But, suppose the expenditure is made by the people outside, there could be no objection?—There could be no objection, provided they contribute to the expense of the town.

1614. By allowing the people of that district to make use of the Antrim-road sewer, the nuisance would be abated?—But if you read my report, which is on the minutes of the Council, you will find that I only recommended that as a temporary measure, and for this reason—our sewers themselves are discharging where they ought not to discharge, and this sewer from Chickster Park would increase the nuisance. They now discharge on the marshes. The Hackwater

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Commissioners allowed us to discharge close to their works, and they have a right to object to it at any time. I, indeed, should object to many houses being drained into the outfall, as it would be a breach of faith with the Harbour Commissioners. It would take a large sum of money to take it out to sea, where it ought to be. Now you will see the difficulty.

1615. I do not see it. It seems to me that if the town drainage were in a proper condition, the discharge of the Clichester Park sewer into it would be a matter of trivial importance. Then that would apply in like manner to every group of houses that would be added.

1616. Is not the real objection that the drainage of Belfast is in a bad condition?—The harbour is in a bad condition, but the drainage of Belfast is almost perfect. All we want is intercepting sewers to prevent the sewage falling into the river.

1617. You want the suburbs brought into the town to enable the Council to provide an intercepting sewer?—They ought not to be allowed to use a sewer without paying taxes for it.

1618. You say that the drainage of Belfast is almost perfect—all you want to make it perfect is the construction of a large sewer that would discharge the sewage into the lough I—I said three sewers.

1619. Then you want to tax the inhabitants of Fortwilliam Park and Clichester Park to raise funds to make your present drainage system perfect?—They ought not to see the town sewers without paying town rates.

1620. You feel that you cannot carry your drainage system without getting a new area for taxation?—I do not say so.

1621. How is it that for thirty or forty years the Blackpool remains a nuisance?

1622. CHAIRMAN.—He says it ought to be put on a larger area of taxation.

1623. Mr. *McMordie*.—I want to know why the rates of these people should be raised in the manner proposed without any corresponding benefit.

1624. CHAIRMAN.—It is only 2s. 3d. as against 2s. 6d., excluding lighting and watching.

1625. Mr. *McMordie*.—Now, you say these people ought to contribute to the borough equally, and your only reason for that is, that if the sewage of Clichester Park were admitted into the town sewers and there was this deflection that you admit might be made, that therefore these people ought to contribute to the whole expense of the town?—They are helping to create a nuisance and they ought to assist in abating it.

1626. For about a dozen houses. Are you aware that in Fortwilliam Park and Clichester Park there is a covenant in every lease that there shall not be more than one villa—of high valuation—constructed on each acre of land?—I was not aware.

1627. Suppose the fact to be that there is a covenant in each lease that the leasee shall not construct more than one villa on each acre, what necessity is there for the Council interfering with such a place?—I have endeavoured to show you what I consider the objects.

1628. I am putting in a new circumstance, the limitation and quality of the houses?—You see your proposal would go to this extent, that if I choose to take ten or twelve acres of land inside any borough and put gates upon it, I ought to set up an authority of my own, unrecognised by law, as a rival to the authorities created by Parliament.

1629. But we have to get that first—we are private owners resisting aggression?—In other words the borough might be extended all round you, and you would remain a little fortress in the middle—that would not work.

1630. An oasis in the Town Council desert?—This part is different from the ordinary parts of the borough I admit, but it would be an unwise system of governing towns to recognise your principle. It may seem a little hardship to them; no doubt there are

hardships in such cases, but I cannot see how to avoid them.

1631. I admit that private interests must give way to the public good, but there must be pressing circumstances. The sanitary arrangements do not require the present extension of the Town Council into Fortwilliam Park—are there any other reasons—is it for the regulation of the streets?—No.

1632. Or for lighting?—No, but I may just tell you that we have a street in Belfast just like Fortwilliam; it was a private avenue, and there were covenants in the leases that the street was to be kept in order, sewered and all that, and for fifteen years the life was worried out of me about Windsor-avenue. At one time I was sent for by the Judge regarding it, his lordship not being able to make anything out of it. We had Mr. Hugh Wardlaw and Mr. Workman, and others at last, and the end of it was that in spite of it being a private avenue with a villa on every acre, and all that, the owners asked us to issue a compulsory order and to put the powers of the town in force. It might be possible that such a state of things would occur in Fortwilliam.

1633. Are the Council then making a scheme to justify the possibilities of Belfast?—We are simply justifying the necessity of including this district in the borough. It is possible that what occurred in Windsor-avenue might occur hereafter in Fortwilliam.

1634. But in dealing with enormous personal interests such as are involved here we cannot make hypotheses to justify interference—you have only one reason to justify you?—I can give you others.

1635. Have you ever received complaints about Fortwilliam?—It is outside my jurisdiction. There has been some talking but I don't care to repeat it.

1636. There always is talking, but do you know of any complaints having been made?—One thing that is complained of is the sewage from Clichester Park which flows over the surface of this ground at Fortwilliam Park.

1637. The inhabitants are anxious to have that remedied, and all that is wanted is the authority of the Local Government Board?—In 1875 I did my best to assist them and have the nuisance remedied.

1638. Did not the Town Council agree to it, and say—"We will give you full authority to do it, if you pay 1s. 6d. in the pound;" so that if the people paid 1s. 6d. in the pound, that sewerage would be completed, and the nuisance abated?—But there is no proper authority to enforce that.

1639. The Local Government Board?—But they would not do it.

1640. You say that people who make their money in the town, should contribute to the purposes of the town?—Yes.

1641. Could you mention three persons in Fortwilliam and Clichester parks not contributing already by rates on warehouses, offices, and other establishments, to the funds of the town?—I have not gone into that.

1642. Are not the occupiers all contributing enormously out of premises in the borough?—Yes; but they would not live in their warehouses or stores, nor would they keep their families there.

1643. But they might.

1644.—The CHAIRMAN.—Then they would not be asked to contribute elsewhere.

1645. Mr. *McMordie*.—Then if people went, say, to Donaghadee, you would follow them?—That would be pursuing it too far. I don't think you ought to follow them farther than five miles outside the town.

1646. Is there not a prominent Belfast gentleman, who has built a house on the hill just outside Bangor, would you not be justified in taking him in?—I think if a man had a sensitive conscience, and was making £3,000 a year in Belfast, and was living near Bangor, he ought to send our cashier a cheque every year. But we do not ask such powers. I have always said

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that I do not think the outer margin should be taxed 4s. 6d. in the pound for a considerable time to come.

1447. If the matter were in your hands I have no doubt strict justice would be done; but you see it would be left to an extraordinary body like the Town Council, and they have failed to do their duty to the public for thirty or forty years. When you did get Windsor-avenue into your hands, didn't you deck it up in such a gorgeous manner, that you almost ruined the owners of property on either side?—That's a mistake. The street has been made in the cheapest possible way, except that the footways have been flagged; but they are so narrow, they are only about four feet wide, that there is much more cry made about it than it deserves. If you compare it with any common street of workmen's houses in Belfast, you will find there is not much difference.

1448. The owners of property consider that their whole property is seriously diminished in value yet?—It was in a most respectable state. I used to have to go to it in the evening myself with men and a cart to fill up the holes and rats that were in it with rubbish, so as to prevent loss of life. That occurred a dozen of times.

1449. Fort-william-park is private property?—Windsor-avenue was private too; but sooner than have a corner's impact, or any accident, we ran the risk of repaving it.

1450. CHAIRMAN.—Are you of opinion that the valuation of the borough at present is too low; that it is not equally and evenly valued all over?—I would not say that, nor does it matter to us; but it is so grossly unjust that one part of the town, one street in fact, is valued at a valuation made in 1840, and another at that of 1879.

1451. But the part valued in 1879 would not be increased?—No.

1452. But by a re-valuation, the other parts would enable the total to be increased?—Yes, and bring in a larger revenue, so that the present rates might be reduced 2d. in the pound, if we had an honest valuation.

1453. When we are dealing with a 4s. 6d. rate against a 1s. 10d., you must take that element into consideration. If the borough was fairly valued, you would be enabled to deduct 2d. off the rates, and that would leave 2s. 7d. as against 1s. 10d.

1454. I had occasion to go to Liverpool, and look into this question, and I believe if Belfast were valued in the same way as Liverpool, and rated in the same way, the rates of Belfast would not be 3s. in the pound, rated on the same basis as Liverpool.

1455. If revealed, would the districts of Sydenham and Strandtown be increased?—No; villa property is high enough; some of it is too high. In a time of great prosperity here, at the conclusion of the American war, some of the villas went up to fancy prices, and they were then valued.

1456. Mr. Peir.—It is an injustice all over Belfast.

1457. It applies to High-street more than any other place I know.

1458. Mr. Corcor.—It will be an injustice until a revaluation takes place.

1459. CHAIRMAN.—I have lately been in Liverpool, Leeds, Manchester, and other towns, and in every town I visited, I found the valuation to be rack-rent, and from being rack-rent, the taxes are comparatively low. If you were to reduce the valuation by half, you would have to increase the taxes by the same amount.

1460. In Liverpool the valuation is made every year, and the least fall or rise is felt in the rates.

1461. Then it is relative taxation all over the town?—Yes; but in Belfast it is very unjust, and that must be kept in mind by those in Belfast.

1462. Mr. Ross.—As a general thing, can you undertake to say that many villas in the district of Strandtown are let at a rent forty or fifty per cent. beyond their rated value?—I am sure some of them must be.

1463. Under your proposed extension must their rateable valuation be increased?—No.

1464. If you revise the valuation in the borough, would not you do it in the township?—Then some would be reduced.

1465. How would that be if they are rated at present forty or fifty per cent. beyond their value?—

1466. CHAIRMAN.—If you raise them you will get a larger equated, and raise a smaller rate?—One would think the men those would not like to pay their fair share of the taxes.

1467. Mr. Ross.—It is only with regard to the extension on the township.

1468. Mr. Bruce.—They will be valued at a fair rate.

1469. It would be unfair if a house was let at a time of great inflation of rents, that it should not be allowed to lower the valuation.

1470. CHAIRMAN.—In those outlying districts that are proposed to be brought under the Corporation, from your knowledge of the inhabitants of those districts can you say the gentlemen owning these valuable residences are people that principally trade in Belfast?

Mr. Mack.—The majority of them are.

1471. Others have these large splendid establishments that we see where they carry on their business, but their dwellings are outside?—Yes.

1472. Mr. Ross.—You are aware, Mr. Montgomery, that there is a large income from markets, and, of course, you are aware that the rates that the market charges come off the persons that sell or buy there—that is to say, they are raised by tolls?—Yes.

1473. It was stated that the property on which these markets stand is a valuable property; that's fair, but would you have the goodness to say what you consider the value of the property is for building ground—have you made any estimate?—No.

1474. Is it to the value of £5,000 a year as building land altogether, irrespective of markets?—It is not the same class of property. Take one market—suppose the old pork market—we did sell part of that for £45,000. I suppose there would be three acres in it, that would be £15,000 an acre; we sold it to the Central Railway Company.

1475. How much was left?—A large portion. All these municipal offices are upon it. The frontages were sold since for building. Now take the other extreme. There was another part of Albert Bridge—it was sold at £1,000 an acre; that's a great range from £15,000 to £1,000.

1476. Mr. Corcor.—Didn't you get more from the railway company than you would have got otherwise?—No; I insisted that we should get the full value of it as building ground, but we did not.

1477. Mr. Ross.—The Corporation derive profit from the gasworks. Is not gas a highly speculative property?—It happens that I have always told the Council that I was not afraid of the electric light, and I advised them not to be uneasy about the gas. At one time, last October, we were afraid to undertake extensive new works on account of the electric light, some Yankee having scared people, but I did not believe in it, having heard of it for twenty years.

1478. If that turned out, however, to be a success, there would be a huge depreciation upon gas property. In the property of a private company there would be an immense depreciation, but to a body of trustees, possessing the exclusive right of lighting, the question then would be what will be the relative cost to them of lighting.

1479. You don't maintain that if lighting were made ninety per cent. cheaper, it would be right for the Corporation to keep up the taxes on the rate-payers?—No, but the interest on the money must be paid.

1480. Yes, but it might be raised in a different way.



Mr. DANIEL DIXON examined.

RECALLED  
 Aug. 2, 1872  
 Mr. Daniel  
 Dixon.

1681. Mr. Dixon.—You are a member of the Corporation?—Yes.

1682. Are you in favour of the extension, as proposed by the majority of the Corporation?—I may say that I did not vote on the question, because I was interested in the Sarnahova township. I understood the Council would not apply for any extension at present, but when this Commission came on I thought it should be extended.

1683. Did you agree it should be extended to the extent pointed out by Mr. Montgomery?—I thought it should not go so far in the Sarnahova district.

1684. Where, in your opinion, should it have stopped?—I would have left out the township of Ballyniscart.

1685. It is said that you have a property outside the lines proposed by Mr. Montgomery?—Yes.

1686. I understood it was imputed that there was something wrong, that some influence was used with——?—So far as imputation goes, I never had a conversation with Mr. Black or Mr. Montgomery on the subject.

1687. It was their own independent act?—So far as I am concerned, I never had any conversation with them.

1688. You never used your influence as a Town Councillor with them?—I never spoke to them one way or the other.

1689. CHAIRMAN.—Does the land, close to and within a mile of the present boundary, derive exceptional value on account of its proximity to Belfast?—Yes.

1690. Are there any market gardens in the district?—There are.

1691. They must pay a high rent for their ground?—Yes, £6 or £7 an acre.

1692. They use their ground as a garden to supply vegetables to Belfast?—Yes.

1693. Mr. Dixon.—Was not your name used in the proceedings instituted to oppose the creation of Sarnahova township?—Yes. It was I initiated them.

1694. Did you pay the cost of those proceedings?—I paid part of them.

1695. Tell me who contributed the other parts?—Well, if you insist, I will. Mr. James Craig, Mr. Maginnis, and Mr. Black.

1696. That's Mr. Black, the Town Clerk here?—Yes.

1697. Was it understood by any of the persons who contributed these costs, that, having regard to all the consequences, they would be excluded from the borough?—It was never mentioned, never thought of. When these proceedings were instituted, we had never heard of the Commission.

1698. CHAIRMAN.—Was it before this Commission was appointed?—Long before it was heard of.

1699. Mr. Dixon.—Was it not the intention, at one of these proceedings of the Town Council, to extend the borough?—I never heard it mentioned, either in the Council or at any of the committee meetings at which I was present.

1700. I understand there was a memorial sent forward to the Local Government Board by the Council against the township being granted?—There was. I believed no township should be so close to the town of Belfast, because some years after it might be necessary to extend the town.

1701. Was not the ground of that memorial that it would prevent extension?—I never heard of it.

1702. You opposed the township?—I did.

1703. What size of an area did they propose to take in?—It was very large.

1704. Did it take in Knock?—Not so far, but down to the Knock station.

1705. You moved at the monthly meeting of the Council the adoption of the present boundary?—I moved at the monthly meeting the adoption of the report of the committee recommending the present boundary.

1706. You knew you were excluded?—Yes; but I never thought of it—it was altogether a matter of form. If you want to take me in, I don't care a farthing.

1707. If it was desirable to extend the town boundary, so as to take you in——?—I would have no objection, only it would be foolish on their part to go so far.

1708. You objected to be included at first?—Never.

1709. Why would you leave out Ballyniscart?—

Where there are large tracts of land round houses, I don't think they should be included in a town.

1710. Houses with twenty acres of land round them should not be in a town?—They should not.

1711. The theory has been stated here that owners of property a certain length from town should contribute to the taxation of the town—do you approve that?—I think there is something in it.

1712. Do you approve of it?—I may say I do, but I don't see how that would reduce the town taxes. I don't think the Council is intending to make money out of this extension.

1713. Is it for the benefit of the district?—I think it is—the Council is taking it in far so other reason.

1714. Suppose that were so—what objection is there to the districts having the governance of their own districts?—I don't see how they could do that, unless you would have a borough outside a borough.

1715. Did you contribute to the expenses of the opposition to the township on the ground that there would be no extension of boundary if the township were defeated?—There was never such a thing thought of—I never heard of such a thing before. When I did oppose the township, I had no idea there would be any Commission here for many a year to come to take it in.

1716. Would you have been so anxious to oppose it if you had known that you yourself would be included in the extension?—I didn't care a farthing. I have more interest in the town than in any place outside.

1717. Mr. Weir.—I believe you are a member of the firm of Thomas Dixon and Sons, an eminent firm in the building trade?—My father was head of the firm; my brother is in the building firm, but I have not been in it for years.

1718. I suppose you know as much about the suburbs of Belfast as any other man?—I know a little about them.

1719. And your opinion is that this question should not be agitated at present?—There was no agitation. This Commission was appointed by Government, and the Council had to take some steps.

1720. Otherwise you would not have been seeking for this extension?—The Council might have done a few years, at present, without extension.

1721. You know this district of Knock?—Yes.

1722. And the Malone district?—But not so well as my own district, the Knock.

1723. Do you consider it reasonable, where there are large farms in a district, that the Council should come in and put the same taxes on as in the centre of the town?—I don't think the Council intend to put on the same taxes.

1724. If it were put on?—I will vote against it in the Council, unless the inhabitants want it.

1725. You would not consider it fair, where there are large tracts of land?—I don't think it would be fair.

1726. Mr. Overend.—In regard to Ballyniscart, there are large tracts of land with isolated houses—you don't think it desirable that the Council should bring them in, much less against the wish of the owners?—I don't think they should bring in large tracts of land.

1727. You know the townland of Knock; it is more remote from this district than yours?—It is not by actual measurement.

1728. When I tell you that half of that townland consists of three farms held under three agricultural leases, would it not in your opinion be better to leave

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Mr. Daniel  
Dixon.

that out?—There might be some building beyond it; I cannot answer that.

1730. Suppose all that area consisted of farms?—If it is all land I don't see the use of taking it in.

1730. There is one farm of thirty-acre area, another of forty acres, and another with fifty-six acres: do you think it prudent that the Council should take them in?—I cannot answer that; I answer generally.

1731. But you have already answered with regard to Ballymiser; why do you change your opinion?—I have not changed my opinion, if it is the same as Ballymiser, I am of the same opinion.

1732. Do you see that corner at Belmont there containing seventy acres of demesne and forty-two of farm land; would you include that?—I would vote against that on the same principle.

1733. There is a farm of sixty acres also, with a splendid house belonging to Mrs. Connehy; why should that be included?—There are buildings all round it, and you cannot well leave that out.

1734. You would leave out Belmont demesne and that other farm?—I would.

1735. Mr. Ross.—Do you know Bloomfield?—Yes, Mr. Boyd's.

1736. He has one hundred and fifty acres connected with his house there.—Do your reasons apply then?—If there are one hundred and fifty acres included, I don't see the use.

1737. CHAIRMAN.—If it is brought in, it is exempt.

1738. Mr. Ross.—Don't you think it impossible to have property liable to this, if it is not dealt with for a long period?—I don't think so at all.

1739. Would it be oppressive?—I don't see anything oppressive about it; the members of the Town Council are not in a bad way.

1740. CHAIRMAN.—Do you know any reason why an individual having a house with forty acres round it should be put in a different position from others in Cork, Dublin, Waterford, Limerick, or other places—why such individuals have should receive any favour of exemption? In any other place that we heard of there such exemption. Is there anything exceptional in the town of Belfast that there should be such exemption?—No; there is no reason at all.

1741. Mr. O'Connell.—Do you know that Culmhill contains thirty-nine acres?—There is a good deal of building round about that.

Mr. S. Black.

Mr. SAMUEL BLACK, Town Clerk, &c., re-examined.

1742. Mr. Ross.—There has been mention made of the exemption by section 158, of the accommodation road, known as Halliday's-road, from certain powers of the Act—was a petition presented by Mr. A. J. Macrory against the Bill?—There was.

1743. The petition states that previously to the passing of the Act in 1875, the Corporation had made an order directing Halliday's-road to be paved, and assessing Mr. Macrory, as general land owner, with a large sum in respect of it: that Mr. Macrory states that he is advised and believed that the Corporation have exceeded their authority; that he is apprehensive that clause six of the Bill would have the effect of *ex post facto* legislation, and give validity to the said order, and therefore he prays that he should be heard before the house, that the Bill should not be passed into law. Mr. Macrory sought to oppose the Bill on other grounds generally, that there were other roads, lanes, and footways, in the borough to which the word "street" would be applicable?—He did.

1744. And that the powers of the Corporation in lighting the streets were sufficient?—Yes.

1745. And upon other grounds?—Several more.

1746. The Committee refused him leave to stand, except with regard to this Halliday's road?—They did—the referees did. I took exception to his leave to stand, and the referees gave him a limited right of appearing simply as to Halliday's road, on the ground that an order having been made by the Council in 1875, which both Mr. Macrory and the Corporation were advised they could not enforce, the effect of the clause in question might be to legislate that order.

1747. And the clause in question 158 of the Act was inserted to meet that particular case?—Just so. He cannot put any buildings on that road; it just leaves us where we were.

1748. The Chairman intimated that if there were any interviews pending in the borough who wished to be heard in regard to this extension scheme, their evidence would now be received. There being none present, this closed the case for the Corporation.

Mr. Twigg.

1749. Mr. Twigg.—I appear here, gentlemen, on the part of the Marquis of Downshire, and I will briefly state the grounds on which we object to being included in this extension. We will give you evidence to show that this portion of Ballymacnaghy, by which we are affected, is circumstanced quite differently from almost all the other property proposed to be included. It was not intended to include it in the township which was proposed to be formed outside

the borough, which shows to some extent a difference between it and the rest, and does it appear that any one suggested it. It is not a thickly populated, nor a villa residential district, and the only grounds that I can understand put forward for bringing it into the extension are that by possibility it may at some future time become building sites, and that it is becoming building sites. Now the position of the property as it stands at present is this:—The Marquis of Downshire is the owner of the whole of Ballymacnaghy, and the townland includes 600 and odd acres, and the proposition it is proposed to include within the extension scheme is 157 acres. The Marquis of Downshire is at present an infant, between six and seven years of age, and his property is under the management of trustees, who are the persons who instruct me. They have made no leases at any time of property, and it is not their intention to make any leases until the Marquis comes of age, which will be some fourteen years from the present time. From what we know in regard to this property the state of it then is this:—There is a small portion, about seven acres, in the hands of persons who are the owners of what is called the Leap Mill, a small portion standing by itself. Then there is another portion, about twenty-two acres, land under long leases by the late Marquis, and the rest, nearly 100 acres, is occupied in two farms by two persons named Carlish; ten acres are let in grass from year to year, and the rest is agricultural farm. The portion belonging to the Carlishs was divided some years ago, and they now occupy it between them, and there is substantial farm building upon it. There are not more than five tenants at present upon the whole thing, exclusive of this mill corner. Now you see it stands in an entirely different position, and, unless for some idea of getting a scientific boundary, I do not see any necessity for bringing it in. The inhabitants or occupiers of it have all been consulted, and not one of them wishes to be brought in. The agent here will be able to state that to you. They were never parties to that township scheme, and they were opposed to it because they did not want anything. They are at present in a rural district, and they have enough advantages from that for all the purposes they want. Their water arrangements, and their sewerage arrangements are all perfectly complete, and are all managed by the rural sanitary authority. As far as lighting and public watching are concerned, the district is perfectly quiet. No one has complained of any want of watching, and as to the lighting, there are no houses to bring the gas into. They would be

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Mr. Twigg.

entirely outside "watching and lighting," and they don't want it; therefore they don't stand in the position of some of the other more populous places which do want lighting and watching, and may have a difficulty in getting it. It will be for those gentlemen, however, to speak for themselves. We stand differently from that, for we want no lighting or watching that we cannot get from the sanitary authorities, as it is not a power constituted, without including us in this extension. The immediate effect of bringing us in, as I understand it, will be—at present they pay 5s. county rate, and the effect of bringing them in would be an immediate rate of 2s. 4½d. Then there would be of prospective taxes a maximum of 6s. 4½d. But not only is there this objection; there is another which we feel more, and that is being deprived of the management of the property in the way we think best, and being subjected to an external control in which they do not feel any great confidence. In fact they prefer the management of things as they are. Now, what caused that objection is this—the very wide definition given to the word "street" in the Act of Parliament. The word "street" in its statutory definition applies to almost every road, or thing in the shape of a road, where the public can pass, and the moment you have a thing that comes within the statutory definition of a "street," the Town Council have the right to interfere. I do not say whether they will exercise that right or not.

1750. Mr. CORROD.—Where is that definition?—It is about the earliest section of the Act, and applies to almost every thoroughfare, passage, or lane.

1751. CHAIRMAN.—But it must be taken with this qualification—it must be open to the public.—Everything once open to the public would at once come under the definition. The trustees of this property might keep them all closed.

1752. "Any highway"—that refers to main roads.—The Corporation would have the right to interfere with the main roads, and to have them flagged, sewered, and paved at the expense of the land-owners adjacent.

1753. Mr. CORROD.—Does not that only apply to new roads?—No.

1754. We were told it only applied to new roads taken up.—The moment they are taken in, they are made under the Corporation. By the 7th section they may require streets to be flagged, paved, and sewered.

1755. CHAIRMAN.—Before any new occupiers occupy it. The section says—"Before any dwellings are inhabited in any new street, the street may be flagged, drained, and levelled to the satisfaction of the Corporation, and to such extent as the Corporation may direct."

1756. There is nothing wanted but the vacating of the trustees that for fourteen years they will allow no building on the estate.—The Margate map dis—I only throw that in as a case of probability.

1757. Am. I right in saying that very nearly through the centre of the estate from north-east to south-west there is a public road?—Yes.

1758. Mr. CORROD.—If there is a public road existing there now, with buildings on each side, can the Corporation come down upon the owner to make the street perfect?—I think they can.

1759. Or is it only applied to new roads?

1760. Mr. Bruce queried the opinions of Lord Chief Justice May and Mr. Henry Fitzgibbon to the effect that, having regard to the language of the Act of 1853, which used the words "laid out for building" in connection with "street," the old county roads did not come within the meaning of the Act.

1761. Mr. Twigg.—The Corporation would have a general power of interference with our buying out new streets—a control which no owner of property like to be subjected to, because his people have their own views, and they think they are as good as other people. Although the Corporation are fortunate in

having now such a competent Surveyor as Mr. Montgomery, evidently is, yet we cannot expect that there will be one always equally competent. There is always and naturally a great objection on the part of owners of property to be caught in and subjected to an external control in the arrangement of their property. This being villa residences, they say they are isolated, and different altogether from a town population. These are the grounds that I think have great force with the owners of this property in objecting to being brought in. Their reasons, then, are briefly—first, the immediate increase in the rates; secondly, the prospective increase of rates; and thirdly, outside interference with their affairs unnecessarily; while they have all the advantages which the time requires. I can understand that all these reasons should yield at once to the permanent benefit of the public, if it was shown that there was such a necessity, but I don't think that has been done. In the first instance, until this Commission was appointed, no persons seem to have dreamed of it at all. Some persons sought to make a township, and the Council opposed it, not wishing to have another borough in their own neighbourhood; but there was never any statement that the necessities of the borough required such an extension at this.

1762. CHAIRMAN.—There was in 76, when it was decided that Corporations had no power to go before Parliament to ask for extensions.—So far as we have heard in evidence, there was no local pressure here in Belfast, and the Corporation never dreamed of extending their boundaries until this Commission was appointed. Now, you can recommend it to be extended in one place if you like, without adopting the whole of it. You may say that in some directions it is extending, and in some it is not, but to extend it to some districts that are still agricultural, seems to me unnecessary.

1763. Are you able to state what the sanitary charge of the district is?—I take it that our sanitary charge is part of the poor rate. The district does not require a special sanitary rate.

1764. The main road into your district, I understand, goes through from the terminus of the Belfast and County Down Railway to the mills?—Yes.

1765. Don't the spinning mills draw all their supplies on the one hand, and cart all their produce, on the other, over that road from and to Belfast?—I don't know how they get their supplies.

1766. Do you think they have a right to have that road provided up to their door, and not pay a farthing?—They pay their county rates.

1767. That road is not on the county—Belfast keeps it up?—They are in the county, and they pay for it in the county.

1768. Is it right or fair that they should bring in all their produce over that road, and not pay for it?—I think it is perfectly right. You must draw the line somewhere.

1769. And there it is that the question comes in—is not that spot on which that spinning mill is built made specially and exceptionally valuable to the owner of the ground and mill from the fact that a road is provided by Belfast up to his own door, and to which he does not contribute one farthing?—Why should he contribute? He contributes to one or other—

1770. He does not. The county road begins on the other side, and we all know that he does not send his linen out to the county?—It is fairly balanced. We all know that on the one side the town is supplied by the county people, and the county people are supplied by the town. The principles that should guide you in extending the town are, in my impression—first, the wishes of the inhabitants, if the people outside wish it. You are sent here to make an inquiry. You find one district wishes to go in—that's one case in which you would recommend the extension; but now you meet another case in which the outside inhabi-

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Mr. Twigg

tanks are unwilling, and must be forced in, and you come to the principle that should guide you in arriving at a decision. Those principles are, in my opinion, police principles. You must decide entirely that you bring them in to contribute to the area of taxation in the town. My impression is this, that if you find a rapidly-increasing small set of villages in the neighbourhood of a town, and the district is not properly lighted or watched, and it is in fact likely to become a nuisance to the town, and requires, for police reasons, to be watched and lighted, the advantage to the public generally will control the private rights of the parties, and you have a right to bring them in. If you find it becoming a nuisance, or likely to injure the property of the town, it is right to bring it in. You override here the wishes of the inhabitants for the general good of the public; but there should be some paramount and strong reasons for it. But to bring them in that they may contribute to the taxation of the town, that appears to me to be an utterly novel principle, and one that has never been applied, and ought not to be applied. It has been said that Blackrock, and down to Killiney Hill, are contributing to the bridge in Dublin. That is quite right. It is always a principle that one part of the county contributes to the bridges or other substantial public requirements in other parts of the county. They are for the general convenience. In the case which has been mentioned of Woolwich contributing to the Thames Embankment scheme, that was a part of a great system of justifying the whole river, and Woolwich reaped a corresponding benefit from it. But where was ever the principle applied that the outside public, because they get a benefit from a town, should contribute to the police rate, to the watching and lighting of the town. I never heard of such a principle being applied that they should contribute to something which the townspeople specially get up for their own advantage. Look at the nuisances of it. Their owners don't seem to be to walk in the town at night, nor to enjoy the streets or the parks in the town, for they have plenty of fields and fresh air themselves. You must have an increased police where you have a populous district, and they don't require that. Where you have a populous people you must have people kept in a special way, and that increases the expenses; and I never heard it said, and it would be a false principle, that people living in the country, because in the neighbourhood of a town, should have to contribute to those expenses. It seemed to be a new doctrine down here; because Mr. Black, who represents the Corporation here, certainly said that he throws that principle out altogether. Mr. Montgomery had some idea that they ought to contribute, but my impression is, that the fairer way would be to throw some kind of rate, proportionate to the distance from the town, and to extend it much further from the borough—to all, in fact, visiting the town; make it a kind of differential rate, so that people might know what they were paying for. But I respectfully submit that it ought not to influence you in the slightest degree, bringing people into the limits of the borough, with the view of making them contribute to the internal expenses of the borough, not for their own benefit, but for the benefit of the inhabitants of the borough.

1771. CHAIRMAN.—There is a portion of the borough at present not lighted nor watched, because it is agricultural ground; would you suggest that the borough should be limited by taking out that portion from it?—Originally it was brought in for some good reason.

1772. It was thought at first it would be built upon, but it is not—I don't know why it should not be put out, if the inhabitants wish it, if it appears that building is not likely to go on.

1773. In this case they have got a road up to their very door. Do you think they don't get a benefit from having the street lighted to the door of the mill at the expense of the Corporation?—Yes.

1774. Should they not pay for it?—If I get an accidental benefit, not intended for my advantage, it would be a new principle to make me pay for it. This road has been made by other people, for their own benefit; it has not been done at our request. As a general principle, if a person gets a benefit from a thing done for another person, that's no reason why they should be made to pay for it. Suppose a mill company bought those mills the other day, when outside the borough, and paid full value for them, and then you come in and put taxes on them, are you not injuring them? The ground is now shifted here, for when the case was opened it was said you will get more value than you will give; it is now put on the ground that we will be a burden rather than otherwise. I do say, I have never heard of this principle, nor is it acknowledged that it should be for the widening of the area of taxation that a district should be taken in.

1775. CHAIRMAN.—Suppose this was a continuously built-on district; suppose there was house after house and business after business?—Then it is a matter of police arrangements; then you must consider whether they can have all they want without coming in.

1776. CHAIRMAN.—Suppose they say, "we want to remain in the dark?"—Then you say, "we will not let you; you are likely to become a nuisance." Then it is that the paramount interests of the public override the private interests of the people.

1777. Suppose the taxation is not increased on the persons outside, what objection would there be?—There would be an interference with the ordinary rights of ownership.

1778. Are we to exclude Lord Downshire because he is wealthy enough to have a competent surveyor? Suppose we take it this way—don't include Lord Downshire, but include the next man to him, a man having a small property, and not having a surveyor; would you say to exempt him?—I don't think that ground that is not going to be built upon should be brought in at all.

1779. Not at a differential rate?—But we have no differential rate.

1780. That is one of the purposes of our warrant. That question arose early in the Commission, and we asked and got powers from the Lord Lieutenant to deal with it.

1781. Mr. Twigg.—With regard to the boundaries, I think having whole townlands in is a good principle. If you speak of townland boundaries you save a good deal of jealousy, and you would not have such a question as that of Mr. Dixon's—the suggestion of interference with the surveyor arising.

1782. Mr. Corcoran.—That question might arise if the parties were settling the boundaries themselves, but it does not where we are doing it.—In this case the line is drawn by the Corporation, and you will be disposed to follow it if you extend at all.

1783. Not at all. We will reserve our judgment from that altogether, but I agree with you that townland boundaries are desirable for various reasons.—If you thought that principle had weight, it would be reasonable not to bring in at present this mill portion of the townland. I suppose your suggestions will not be final, and that there will be another Commission some reasonable time hence. All we can do is to set upon things as they are, or are likely to be in the immediate future, and not in the form of a speculation. On our ground there has not been a building erected from the beginning of the world except three—not within the memory of man.

1784. Mr. Street.—What is the date of the erection of the three?—Within the last seven years; and that is all anybody can remember. Why it is to be made a law in words I cannot say.

1785. CHAIRMAN.—I don't know when the late Marquis died, but if it was announced that there is to be no building for 14 years?—No, that is our intention.

1786. That feeling may have prevented anyone going to build, believing they would not get it.

Mr. T. S. HOWE examined,

DEPOT  
Aug. 9, 1879  
Mr. T. S.  
HOWE.

1786. Mr. TWISS.—You are under agent and receiver of the estates of the Marquis of Downshire?—Yes.

1787. You know that the Marquis of Downshire is a minor?—Yes.

1788. How are his estates managed?—By his agents—By the trustees of the estate.

1789. Do you know this townland of Ballymagough?—Yes.

1790. What is its area?—580 statute acres.

1791. Do you know what quantity and extent of this ground it is proposed to include in this extension?—126 acres.

1792. Describe the nature of the ground, how many buildings are on it exclusive of the mill corner—there is a mill on it?—Yes.

1793. Do you know the valuation of this ground?—No, I cannot say; but land there is valued by the Government at about 30s. per acre. The rents are below that as a rule.

1794. What is the average rent of these farms?—One farm here is let at 26s. an English acre—that is one of the Carlishes' farms. They are let from year to year. The two farms amount to 84a, there is another small farm of 2a. 1s. 36r. let to Adam Vance; then there are 10 statute acres let for grazing, and 184a. more let off as building ground in the lifetime of the late Marquis.

1795. Has that been built upon?—There have been three houses erected upon it.

1796. CHAIRMAN.—Is that the portion nearest the mill?—No, it is the portion of ground furthest away from the mill, the furthest from town—on the Creggah-road. It was let out by the late Marquis for villas. It was let in lots of 5a. each to one man.

1797. That would be 25a?—Yes, there was other ground apart from this, however. There was no power to let for other purposes.

1798. What was the date of these leases?—1873.

1799. When were the three houses built?—They have been built since in accordance with the covenants that houses should be so built upon each. Mr. Mowen has asked time to build some of the houses.

1800. What is the ground rent reserved?—About £4 the statute acre.

1801. So that while the land is let to these tenants at 26s. the statute acre, it is being let as villa ground at £6 the acre?—Yes; for 999 years.

1802. Suppose that land held by the Carlishes, that you had it to let at this moment, from year to year, what would it be worth per acre; what would you get for it from a good and solvent tenant, free of tenant-right and everything?—One part with another, about £8 or £10 an acre, but we would have to acquire the tenant-right at a high figure. The tenant-right for the forty-two acres was purchased at £800 by one of the Carlishes from the other.

1803. Suppose you had the two Carlishes' farms now, that you could let to a good and solvent tenant, and that you had two similarly circumstanced farms seven or eight miles from Belfast, what would be the relative difference in the rents you would get for each?—They would let for £3 or £4 the statute acre near Belfast, and eight miles in the country, without tenant-right, the extreme price would be £2.

1804. Mr. TWISS.—Would it depreciate the value to bring it within the borough boundary?—I think it would.

1805. CHAIRMAN.—Is that difference in the acreable rent from the £3 to the £4 caused from the proximity of the land to the great town of Belfast; does that make it more valuable?—Certainly.

1806. Are the roads that pass through it in good order?—Yes; they are.

1807. And suitable for the people that occupy them?—Yes.

1808. Is there any necessity for lighting or watching?—I think there is no necessity.

1809. Have you heard any complaints about them?—Quite the contrary.

1810. Have you examined those villa houses that have been built?—Yes; I have seen them as I passed.

1811. Have you examined the sewerage or draining?—I have not.

1812. You don't know what mode they have of getting rid of any sewage they have?—No.

1813. You think if that ground was brought into the area of the borough boundary its value would become depreciated?—It would have to bear an increased taxation, and the prospect of a still greater increase.

1814. Is it entirely on the ground of taxation that you think the ground would be depreciated?—From a tenant-farmer's point of view, I don't know any other except taxation.

1815. And from a builder's point of view?—It is always looked upon as a considerable advantage that it is not in the borough, as the taxation would be greater in the borough.

1816. Can you give any other ground except the question of taxation that the ground would be depreciated?—The ground that there would be an outside control over the property as to the streets, sewerage and other matters of that kind.

1817. Mr. TWISS.—Are you aware of the opinion of all the inhabitants of that district?—Yes; they are all opposed to being brought into the borough.

1818. CHAIRMAN.—What is the ground of the opposition expressed to you; has it been expressed to you that it is fear of increased taxation?—That is the real ground.

1819. What rent does that mill pay?—The ground rent of the mill is £40 a year; 7a. 1s. 3r. is the area it covers.

1820. It is a spinning mill?—Yes; a large spinning mill.

1821. Mr. TWISS.—The sanitary arrangements of the district are quite sufficient for all the purposes of such a district?—They are, quite.

1822. Mr. HOWE.—I appear for Mr. Moerland, the owner of the mill. You state that these lands which would be worth £4, would be worth £3 eight miles from the borough?—Yes.

1823. I think you said that the difference of value was caused by proximity to the town of Belfast?—Yes.

1824. Would you consider it at all fair to say that Belfast, having caused that increased value, was entitled to take £3, the difference caused by its neighbourhood from Lord Downshire?—I don't quite understand the question.

1825. Don't you say that the difference in value between the lands in one place and in the other is £2 an acre?—Perhaps more.

1826. Do you think it would be unjust that the town should be entitled to claim the difference between them?—That is a matter of opinion.

1827. Mr. HOWE.—Could you place the limit of taxation to aid the town if you don't take the whole £3?—I think it would be very difficult.

1828. Mr. BRUCE.—The land lying inside the borough is in a very similar position to this land of Lord Downshire's?—It is.

1829. Are you aware of the letting value of this land?—No.

1830. So that your opinion as to the depreciation is purely speculative, based on what you think?—Lord Downshire never had any inside the borough.

1831. The late Marquis let this land to Mr. Mowen?—Yes.

1832. Have the trustees letting power?—They have.

1833. This land, I understood you to say, will be suitable for villa building?—Yes.

1834. I suppose you have no doubt that in process of time it will be occupied in that way?—Yes, but it will be a long time.

REDACTED  
Aug. 2, 1879.  
Mr. T. S.  
Hans.

1835. Mr. Tappin.—Is there not a considerable tract of unbuilded enough ground there?—Yes.

1836. Is there a demand for villa sites there?—Yes, sometimes, but not frequently.

1837. To Mr. Bruce.—People write and ask sometimes about fields.

1838. How many of these applications have you had within the last five years?—I could not say.

1839. They were so numerous?—Not from that point of view.

1840. Have you had any within the last year?—Yes.

1841. Can you tell how many?—Four or five.

1842. Did these offers contain any offers of price? They did not get so far as that.

1843. Or quantity taken?—Well, sometimes they may say they want to build a villa or two, and ask a question about it, and you never hear anything more about it.

1844. Can you tell me are these inquiries after building ground made by separate individuals, or do they come from speculators?—We have had both.

1845. From private individuals wishing a field for the purpose of erecting a house for their own accommodation, and from people who wish to build for speculation?—Yes.

1846. Has it been announced to the public that

there is to be no letting until the Marquis comes of age?—It used to be advertised to that effect, but lately the advertisement has been withdrawn.

1847. I suppose it has been pretty well known?—Yes.

1848. What answer have you given to these applications for building sites?—What would be the nature of the reply you would make?—We would ask them what they wished to give.

1849. CHAIRMAN.—Did you ever tell them what you would take?—Sometimes we did.

1850. How much per acre for building ground?—From £5 to £15 an acre, according to the situation of the site.

1851. And you have rented to parties as much as £15 an acre?—Yes, for building upon and for brick-making.

1852. Mr. Bruce.—Suppose a solvent party asked for five acres of ground at £15 an acre, have you any doubt that the trustees would let it?—I think they would if they thought it sufficient.

1853. CHAIRMAN.—Are they looking for more than £15?—As much as we can get. The trustees are not anxious to let at present, but under certain circumstances they would.

1854. You would not ask that price if it was five or six miles from Belfast?—No.

Mr. William  
H. Marshall.

WM. HARRISON MORELAND OBSERVED.

1855. Mr. Tappin.—Are you the owner of some premises on this road?—I am a director of a company. My brother and I were up to last year the owners of the mill, and then we sold it to a company, though the lease is scarcely complete yet. There are 120 or 131 years in the lease.

1856. What rent do you pay?—£40.

1857. Are you in favour of this extension?—No, I am opposed to it.

1858. Why do you oppose it?—Have you sufficient sanitary arrangements in force at present?—We had gone to great trouble and expense to make perfect sanitary arrangements, and also to supply water, sinking deep and large wells, one of which overflows continuously.

1859. What are your sewage arrangements?—There are a good number of mill hands on the premises?—Yes.

1860. How do you get rid of your sewage?—The greater part of the sewage is caused from the mills and factory themselves, and we then have a system of earth closets; it is not exact earth closets, but boxes are made into the privies; the box does not fit, and each day there is some rot or dry earth put in, and each night there is some scot put on the top of the box, which is then cast away and emptied.

1861. You don't let your sewage off into any river or stream?—No.

1862. Are you quite provided for getting rid of it? We catch it all. That system does not apply to the workers' houses, but we have a good system for them also.

1863. Then for sewage you don't find any want?—No.

1864. Do you want lighting?—No; we have had the mains cut from the old Gas Company for years, and we still get the gas out from them. The gas passes through our own meter for lighting inside and outside our place, and we pay by meter.

1865. With regard to watching?—We pay a night watchman; we watch ourselves.

1866. At your own expense?—Yes.

1867. That is to preserve your own property?—Yes; but it is a very quiet neighbourhood, and does not require much watching.

1868. I suppose the county watch you as far as is necessary?—Yes.

1869. You have plenty of water?—Yes; we have one pump on the side of the road, which we only look

up, say, one day in the year, to retain our power over it, and from this pump we supply a good part of the neighbourhood.

1870. It has been stated that you asked to be brought into this proposed township?—Wherever said that fell into an error about my wishing to bring in Long Mill; quite the contrary. I was waited on by people getting up the township, and I told them I would be obliged to oppose it, as I neither wanted town nor township.

1871. Mr. Ross.—There was reference made to some villas built on this property, do you know the sewage arrangements about them?—No; that is on the other side of the whole district.

1872. I believe the water supply you have is used by some of the people within the borough?—Yes, the people at the Hillhead have no other water except what they get from our pump, and we have supplied them for years. It would be very difficult, if not impossible, for them to get water otherwise, for there is a big hill there, and there would be great engineering difficulty in taking the town water to this part. The same indeed applies to the sewerage; the sewer that is made up the Castleknock-road is at a height that it would be impossible to take the sewage of Ballycough into it without pumping.

1873. Mr. Ross.—I am informed that there are five or six houses built within the last few months, and they are the only houses not supplied with water. The Commissioners are not compelled to introduce water unless there are twelve houses. With regard to the level of the ground I know nothing. There are houses on one side of the ditch, and the mill is on the other. No application has been made to the Commissioners for water.

1874. WITNESS (Mr. Moreland).—The people on the Hillhead have no water, and they never complain. Why should they go to the expense of getting it from the Commissioners when they can get it for nothing.

1875. Mr. Ross.—You have abundance of water for your own purpose?—Yes.

1876. Speaking of the condition of Hillhead and the place called Lennon's-road, and comparing them with yours, what is the difference, what is the comparative difference between your place and those?—Our places outside the borough have perfect sanitary arrangements and means of decency, while the side of Lennon's-road is as disagreeable as it is possible to be.

They throw their sewage out in front of the houses.

I don't think there are any back yards.

1877. CHAIRMAN.—Is your mill a large one?—It is a moderate sized mill.

1878. How many cottages have you for work-people?—About thirty-nine.

1879. You of course use the main road that runs to the mill through Ballymacarrett?—Yes.

1880. How many homes have you on the road?—We have two daily going backwards and forwards, as we bring the largest portion of our supplies over that road.

1881. Yours is a steam factory?—Yes.

1882. How many tons of coal would you bring in a week over the road?—About seventy tons.

1883. How many tons of other stuff from Belfast do you bring?—I should think about fifteen.

1884. And then how many tons of manufactured stuff would you send back every week?—We would cart about 110 tons weekly both ways.

1885. The Town Council of Belfast keep up that road for you—you have not to pay 1s. towards it?—Our place was built before the Town Council got that side of the borough, and now we only pay county cess. Our works are outside the borough, but our ware-house is inside, and it is largely used.

1886. What is the valuation of your premises at the mill?—I cannot say exactly, £400 or £500 a year.

1887. Do your carts use that road in the winter time in the dark mornings and evenings?—Very little; we are bound to have no lights in our stores, therefore we don't draw in when we can avoid it in the dark; but of course they use it more or less.

1888. Suppose you were selling that mill to-morrow, don't you think it more valuable on account of using that road not having to pay for it?—Well, a mill near town has no advantage and a disadvantage. The advantage is nearness to the market, the disadvantage is that your wages are higher, and the balance is pretty evenly struck.

1889. Mr. Bruce.—Is there a large county road with considerable traffic on the other side of you going into town?—Yes.

1890. The town pays nothing towards the expense of that county road?—I think not.

1891. You don't expect them to aid you in the county roads?—No.

1892. Mr. Bruce.—Did you build the mill yourself?—We did: we began it in 1850.

1893. This road is lighted up to your mill?—It is.

1894. How far is your mill from the borough?—We march with the borough.

1895. The sewers of these various cottages for the work-people—that is not on the earth system?—No.

1896. What does their sewage go into?—There are large covered tanks where the solid matter is treated. There are pelves and sumps, which are regularly cleared out by a night man of the company—the mere surface water runs into tanks where it is allowed to settle, and the tanks are periodically cleared out; it runs off from these tanks after settling.

1897. Where does it ultimately go?—into your stream?—It flows into a tributary of Coonswater.

1898. Into what is called the Loopstream?—Yes.

1899. CHAIRMAN.—Suppose that Ballymacarrett-road was on the county, what would it cost to keep it in the year?—Very little; with the exception of our

traffic there is no other traffic—there is no traffic except ours in addition to what goes over it in any case. It is a poor district it passes through.

1900. If the keeping up of that road was on the county, it would increase the cess?—It was formerly on the county and we found no difference—the road was so small, it was such a short distance.

1901. Is your objection to being brought in based on increased taxation?—That's one objection, but it is not altogether; another objection is that the place under the Town Council seems to be utterly neglected, it is in a disgraceful condition, whereas outside the borough everything is attended to well enough; another thing is that we would object very strongly to any rules being laid down for us to do things which we think we understand best.

1902. Have you any idea of what the increased rating would be in the borough?—I am sorry to say I have had a good deal of experience of the Town Council's tender mercies; we have a mill lying vacant in Belfast which pays taxes, which rather frightens me at the idea of bringing in our mill here.

1903. That is in a lighted district?—Yes.

1904. At present the Corporation have only levied 4s. 4d.—I am putting out the poor rate altogether; it is calculated that if the town within the present municipal boundary was fairly valued, it would reduce the taxation to 5s. 6d.—That is given as an opinion.

1905. Is it your opinion that the town is fairly valued?—I have not sufficient experience to know; but I know that others are quite high enough.

1906. Mr. Bruce has stated that the valuation of the town should be £750,000; now, if a tax of 4s. 4d. on £750,000 produced enough, if you levy the rate of £750,000, you can, at once, reduce the tax by 9d., reducing it to 3s. 7d. in the lighted and watched districts, then if they don't light and watch you, you would be paying less than at present?—You are assuming that the expenditure would go on as it is, but would you guarantee that that is the extent to which you will be allowed to tax? I believe the Corporation will tax as much as they can get out of the people.

1907. Fortunately they cannot tax without the consent of the Legislature; they must make out a case.

1908. FITEEN.—I believe the revaluation which the Council wish to have made, is to raise more taxes, also that they want to get in more area for carrying out their grand schemes.

1909. Suppose you had it laid down pretty clearly that the taxation would be less as long as you were not lighted or watched; what would you say?—The question is how much it would be lessened; I would rather pay a trifle to stay out.

1910. Mr. Bruce.—As I understood you, when talking about these districts inside the borough, which you say are in a bad condition, you referred to Hillhead and Leamons?—Yes.

1911. Are these in immediate proximity to your premises?—They are pretty near; Hillhead is so close that they carry their water from our place.

1912. Is Leamons now are you aware that improvements are actually going on at present under the direction of the Corporation—preparations for improving the place?—Yes, preparations; there are some brick bats and mortar lying there, but so far as improvements are concerned, they are going on for twenty-five years, but there is nothing done.

MR. ALEXANDER CARLISLE continued.

1913. Mr. Thiep.—You are a tenant of Ballymacarrett, and hold from year to year?—Yes.

1914. How much land have you got?—Forty-two statute acres.

1915. How did you get that?—I bought the tenant-right of it from my father; he holds about an equal quantity as a tenant from year to year.

1916. What did you pay for the tenant-right?—I could not say that.

1917. Would you have paid as much for that if inside the borough?—No.

1918. What is the nature of the ground which you hold—is it all agricultural?—All agricultural.

1919. Do you want any watching or lighting?—No; nothing of the sort.

1920. Have you ever had any reason to complain of the want of police?—Never.

1921. What about your sewage; have you not a

Bye-law.  
Sep. 3, 1876.  
Mr. William  
H. Hamilton.

Mr. Alexander  
Carlisle.

1924. **MR. FERGUSON.**—How much do you draw from Belfast in the year, you and your father?—About 100 tons.
1925. **Each of you?**—Yes.
1926. **MR. FERGUSON.**—Do you think it would be for the benefit of Belfast to leave that nature in it?—I think not.
1927. **MR. CORRY.**—What is the valuation of your farm—what you pay rates on?—£491.
1928. **MR. FERGUSON.**—Are the roads in good order?—Yes.
1929. **Does not the borough boundary come up to your farm?**—Yes.
1930. **Between your boundary and the buildings inside, what space is there?**—About 200 yards.
1931. **That's not built upon?**—No.
1932. **Have they been building inside that portion**

- of the borough lately?—No; they have laid nothing out for building.
1933. **Do you know these villa buildings built on the same townland?**—Mr. Mullan's?—Yes.
1934. **Do you know anything about the sewerage of them?**—I do not.
1935. **Do you object to go inside the borough boundary?**—I do. There is no mistake it would injure the tenant-right of my farm.
1936. **Did you pay the full value for it?**—Yes.
1937. **CHAIRMAN.**—You would not have given so much in the borough; suppose your place was less land in the borough?—If it was, I would make an odd.
1938. **If the location was less in the borough, the ground would be more valuable?**—Yes; if it would stay there.

Inquiry adjourned till 20th October.

OCT 20, 1879.

## BELFAST—FIFTH DAY.—OCTOBER 20TH, 1879.

Before Messrs. EXHAM, Q.C., Chairman, COTTON, C.E., and H. A. ROBINSON.

Mr. Koss.

1937. **MR. Koss, B.L.**—I appear for the general opposition organized for the purpose of opposing the proposed extension of the county Down side towards Strandtown, part of Ballymear, Ballymacreagh, and Sydenham. With me Mr. Overend to a certain extent appears, at all events he appears for Sir Thomas McCune and others who oppose this extension. I am concerned for those who oppose extension beyond the Corporation. I cannot conceal from myself—it would be foolish to do so—that I have in the first place to deal with a considerable difficulty. I do not think it is improper to say that the Chief Commissioner has indicated a pretty strong opinion as to the desirability of extending the town, and making the districts outside contribute to the taxation. Of that I don't complain. I know he has heard a great deal of evidence in other places in favour of extension, but I am confident that whatever opinion he has formed before he came here he will address himself entirely to the matter as a judge, and that no matter what opinion he may have formed he will give full consideration to what I have to say. It was advantageous to me rather than otherwise to know the difficulties that occurred to you as I went on. There are two questions before the Commission—one relating to the boundaries of the town, and the other relating to the boundaries of the wards. The second question is not before you at present, and I shall only introduce it for this purpose—it is not my concern to say anything about the boundaries of the wards—that should the districts which I represent be incorporated it would undoubtedly be of advantage that Mr. Grey's proposition, or something like it should be adopted because their interests are so diverse that they should not be incorporated at all, but if they are incorporated they should have separate representation on the future Town Council. With regard to extension of the boundaries of the town my case is somewhat peculiar—it is undoubtedly not a case in common with the case of Mr. Weir or of those at the other side of the Lagan, it is entirely different by the great and cardinal point, that it is a natural and distinct drainage system, the Corporation forms a natural barrier to the introduction of the drainage of this No. 1 district into a general system of town drainage. That is admitted practically by Mr. Black and Mr. Montgomery. On reference to their evidence you will see they clearly consider that the system of drainage is different, and they have great doubts whether it could at all be introduced into the town's drainage, and they believe that that could only be done as a matter of great expense. That being so I have so far a different case from that on the other side of the river, and therefore it does not follow that because you think fit to recommend that

the other districts should be incorporated you should extend your recommendation to the districts on the county Down side beyond the Corporation. I wish to draw your attention to one or two important figures about the acreage of this district that it is proposed to incorporate, but before I do so I would mention a matter which I have already referred to in the examination of some of the witnesses, namely, the enormous difference between the area of Dublin, about which there has been a great deal of inquiry, and the area of Belfast. The present area of Dublin is 3,306 acres without any extension, the present area of Belfast is 5,391 acres. We have it in evidence there is an immense quantity of ground within the area of Belfast unbuild upon and unoccupied. That is different from Dublin where there is a distinct admission that for houses there is practically no unbuild upon ground.

1938. **MR. CORRY.**—What is the amount of that unbuild upon ground?

**MR. Koss.**—I think it was stated to be very large by Mr. Montgomery—about 2,000 acres or something of that kind. At all events it is stated to be a very large amount, and in that respect the whole circumstances of the borough differ from the circumstances of Dublin. Adding the Pembroke, Rathfriland and Rathgar townships to the present area of Dublin, the total area then will be 6,658 acres or a little more than the area of Belfast at present, but what is the proposition now made? A proposition which includes a great deal of land; as I submit as regards any district of the county which is not town at all; a proposition that an area of 3,756 acres shall be incorporated in the borough; in other words they ask now that an area shall be added to the borough as large, save by one hundred acres or less than one hundred acres, as the entire area of the city of Dublin. That is a very serious demand to make. Under what circumstances was that area laid down? I think it desirable on this point to refer you to Mr. Montgomery's evidence. He gave evidence that I do not complain of, but there is a great deal of it which tells strongly for my clients. He states that country districts not likely to be built upon at present ought not to be included in the borough, and he gives sound reasons for that. I submit that his evidence is most reliable in that respect; but how has he made the map which is submitted to you as showing the proper area to be included? [Reads extract from evidence of Mr. Montgomery cross-examined by Mr. Twigg, Q.C.—

"I think I understand you to say that this proposed extension would add about 60 per cent. to the present area?" &c.]

So that Mr. Montgomery, the man on whose judgment



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Mr. Ross.

this proposed extension is to be made, is of opinion that that area of 3,766 acres should not be incorporated now, but that that should be the extreme area the Corporation should be allowed to take ultimately; that no part of it should be incorporated save by the action of the Local Government Board after hearing the persons interested. If that was the basis on which this map was made it entirely fails, and there is no reasonable ground for saying it is a reasonable or proper thing to incorporate such an immense extent of territory, and especially a district which is essentially a villa district and not properly part of the town at all. I cannot assure from myself that in the course of this inquiry certain abuses and certain evils have been testified to—cases in which some ill-conditioned people disregarded the welfare of their neighbours, and did commit nuisances. It would be, undoubtedly, a strong point against any contention if there was no means of preventing these things, which I think would be a public evil. To the Chairman I especially address my remarks now. I think that the Public Health Act provides a means fairly and rightly for my district to guard against any possible evil that has been alleged against the existing state of things. When we were last here there was an argument strongly pressed by Mr. Black in his evidence, that in fact we could not bring into operation this Public Health Act. He fairly admitted that if the Act applied (save in one respect, about which I think he was wrong) everything practically desired in the interest of the district, or for that matter of the town of Belfast, could be carried out under the Public Health Act.

1139. Mr. Corry.—Except lighting?

Mr. Ross.—Yes; and I think that could be done too. Mr. Montgomery persistently said the same thing, and I don't think it can be disputed looking at the Act. Whether as regards sewage, haillings, and matters of that kind, everything the Town Council could do for us can be effectually done by the local authorities. If it can be demonstrated a tremendous claim put forward on behalf of a centralisation or position like Belfast, to take against the will of the whole inhabitants the governance of their district out of their own hands? Is it not one of the most sacred things this Commission can do to develop local government? Where is there such a check on extravagance as the immediate action of the people who pay the taxes? Who have the same interest in the matters of the district beyond the Conservator as the people who live in it? If on police reasons, you are not driven necessarily to come to the conclusion that matters cannot be done that ought to be done, you are bound not to take away against the will of the people the control of their own district. One of the strongest reasons pressed by Mr. Black was: You have an inhibitory difficulty; you cannot get the Board of Guardians, the sanitary authority to put into operation the Public Health Act. Since that, however, the following resolution was passed unanimously by the Board of Guardians in Belfast, on the 7th October (last).—

"That in the opinion of this Board it is desirable that the Local Government Board be requested to form the rural districts in the county Down portion of this Union into a united district for the purposes of the Public Health Act, 1871."

1940. Mr. Corry.—What is meant by the rural districts?

Mr. Ross.—A little further than the present district I represent; it is the district beyond the Conservator, extending a little further out into the country, and practically means an area of about a half a mile further.

1941. Mr. Corry.—Do they mean the electoral division when they say the rural districts? They mean the part of the Union in the county Down which is not included in the Ballymacarrett district. These districts are in the Union, but they are not a united district. My proposition is that there could be a united district formed, which united district will provide for all the wants that are here stated on the part

of the Corporation to be wants, and which they can then supply to them.

1942. Mr. Corry.—What are the districts you propose to unite? All the portions of the B-Bast Union in the county Down, save the urban sanitary district of Ballymacarrett and Holywood.

1943. Mr. Corry.—But if you unite things they must first have an individual existence.

Mr. Ross.—Not under the Act. I submit that portion of the Union can be created into a united district within the meaning of the Public Health Act.

1944. Mr. Corry.—Not having before that been separate districts?

Mr. Ross.—Yes. [Reads 13th sec. Public Health Act.]

1945. Mr. Corry.—Do you think that that section applies to districts which have not been separate districts before?

Mr. Ross.—Certainly. Any townland is a contributory place; and every place you read "contributory place" in the Act you are bound to recognise a townland as a contributory place.

1946. Mr. Corry.—Is every townland in Ireland a contributory place?

Mr. Ross.—Certainly; for the purposes of the Public Health Act. Therefore, these townlands or those portions of the electoral divisions are places which can be united under the words of the section.

1947. Mr. Corry.—Have the Local Government Board any power to give them a right to light?

Mr. Ross.—Certainly.

1948. CHAIRMAN.—Where is the authority of the Local Government Board to turn an urban authority into a rural sanitary authority?

Mr. Ross.—There are more than two classes of districts contemplated by the Public Health Act. There is the rural, the urban, and the united sanitary district. It is not an answer to say that this must be an urban sanitary authority; the only necessity imposed on me is to show that this district could be a united district when it is itself totally distinct from an urban or rural sanitary district, with its own powers and authorities, and I maintain included in that, everything—provided the Local Government Board see fit to approve—that an urban or rural sanitary authority can do. Every purpose of the Act is open to this united district; they have the powers of taxation, and there they have special powers of lighting, being a rural district where that was duly authorised, and "duly authorised" is I submit by the Local Government Board. If I have established this point I maintain, on the evidence propounded by the Corporation, we have an unanswerable case; because everything they could do for us we could do for ourselves. It cannot be said we won't act, for our desire to act is pressed as a reason against us why we must enter the Corporation. "Oh," it is said, "you applied to the Queen's Bench and you got a township." Therefore we are quite willing to take the sanitary powers; we have given the best proof that we are ready to do so. I think it is quite right that a district of that kind should have the management of its own affairs, and if it is true, as Mr. Black states, that there are houses there improperly built, it is true that the powers of the Act should be utilised; but you should not against their will force those people beyond the Conservator, outside the natural district, into a union with the people of Belfast. When in London recently I called for the purpose of getting a copy of Mr. Brown's pamphlet, and I asked him was the matter finally determined by the Committee of the House of Commons with regard to extensions, and he told me the question was really open. He virtually said as he says in his pamphlet, it depends on circumstances. He admitted that the wish of the people in the district was a most potent consideration, and he told me although there was one district incorporated (some people objecting) into Glasgow last year, yet the whole extension was absolutely vetoed there—they refused to extend Glasgow to the district of Polmadie and the small district outside it. Therefore it is absolutely

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open to you to consider this proposal on its own merits. Here every one in the district proposed to be taken in except Mr. Dickson and Mr. Black are opposed to it. Mr. Black said, when they came to know the benefits of being brought in, they would all no doubt turn round to his view, and he refused to say whether a majority were in favour of this proposal, because he thought they would all change. We will find out whether there is a majority wishing to be united to Belfast, and to throw over their own government. If it can be shown to the people that they cannot possibly get an independent township, and an independent government to enable them to improve their district, then rather than have no government they would go to the Town Council; but my contention is that in the Act of Parliament they have power, and my claim before you is that if they have not that power to govern themselves, that you should recommend that power to be given them. We want the things to be done that Mr. Black and Mr. Montgomery say could be done properly if the Public Health Act applied. Why should you not recommend that? These people have bought their property; some of them have given enormous prices for it, and they believe they can realize their property to better advantage, and administer the place better themselves and with greater economy. Why should you oppose them in that?

1949. CHAIRMAN.—Is not what you want, in fact, to create another township bordering on this. If it is to be a distinct district it must have all the powers vested in it, and would that not, in fact, be making a township right up to Belfast—the very thing the Parliamentary Committee have said is not to be done?

Mr. Ross.—No; because you said yourself that extension of the sanitary powers under the Public Health Act was not anything like forming a township.

1950. CHAIRMAN.—But if you go on to provide everything else?

Mr. Ross.—What is the evidence? That in the districts not included at present there is perfect watching by the police already. Outside the borough the districts are as well watched as within it, and my answer is, we don't want any more watching than is done now by the constabulary. Mr. Montgomery does not deny that the watching is all right throughout that district. It was never alleged by Mr. Black, for a moment, that there was a want of watching, but it is want of the other things that are provided by the Sanitary Act, and we are struggling to improve that property. The allegation is made that we derive benefits from Belfast, having all the conveniences increased value of land, all the sites for houses. They have all that now, with the advantages of good business; but why should they wish to send out to districts such as Sir Thomas McCune's, and Messrs. Boyd's? These people have laid out their money, and are improving their property, and why attempt to shift the responsibility from their property in the town to this other property outside the borough? Why should they seek to throw taxation on that district? It is for the benefit of Belfast that that district should be made as rich and well governed as possible. These people contribute to the welfare of Belfast. They contribute in their houses and in many ways. Mr. Dixon, who lives out there, says his interests there are nothing compared with what he has in the town, and I don't see how you can extend the taxation on any account, except as Mr. Twigg put it for police purposes.

1951. CHAIRMAN.—What do you call the district around Belfast?

Mr. Ross.—I think it is essentially a residential villa district. Look at Loop Hill. I think it was because Mr. Montgomery thought it would pay to bring it in that it was included; but in the face of the evidence of Mr. Moreland, why should you go out your way to force people against their will into this district, while they have everything they want at present?

1952. CHAIRMAN.—Is not Lord Downshire's property an essentially suburban building district of Belfast?

Mr. Ross.—What are the facts about the nature of that district? The acreage of that district in the county Down is 1,975 acres—that is, you may say, 2,000 acres—and it is a very extraordinary thing that that is more than half of the whole area of Dublin. What is the population of that district? 3,318. Has that any of the element of a town about it? That fact alone shows that this is a totally different thing from a town district. It confirms the case made by the Corporation, that in no sense of the word could Stranmillis town be considered a town. What is the valuation of the district with 1,975 acres? £18,000. That 2,000 acres is one-third the present area of Belfast, with a valuation of £250,000—a valuation that ought to be £750,000. The two things are totally incommensurate, and there is no show of claim for this except a claim on the part of the Corporation to extend their boundaries, perhaps, to give my friend, Mr. Black, at the end of the year more than he has to do. To increase the staff of the Corporation, and to do the work no better than they say themselves it can be done under the Public Health Act.

1953. CHAIRMAN.—How many residences are there in that district?

Mr. Ross.—563 houses. Here you are asked to go beyond the natural boundary of the Corporation—a boundary that prevents the district being incorporated for drainage purposes, and to bring in a whole lot of ground which I submit, with confidence, has nothing to say to the town, and which you will say, on viewing these premises and the district of Messrs. Boyd, a better governed or better dealt with than the neighbouring district of Ballynascroft. That the roads are unexceptional. That the drainage is excellent, and that the complaint made by Mr. Black—I think safely—is not justified by the facts. It seemed to be said by some it is an advantageous thing for the people outside to be incorporated in the borough. Mr. Montgomery says they all object to it, and Mr. Moreland said he would pay something to be kept out of it.

1954. CHAIRMAN.—Can you tell us the reasons why they objected? I suppose they dreaded increased taxes. Are there any other reasons?

Mr. Ross.—Yes; government far more than anything else.

1955. CHAIRMAN.—If they came to be formed into a united district it is to be the governing body of that united district?

Mr. Ross.—That is clearly ourselves.

1956. CHAIRMAN.—Your contention is that that Board would have power to make gas works?

Mr. Ross.—Or to contract for gas; but in my district they have the mains laid to the very verge of the place.

1957. CHAIRMAN.—How are the police arrangements to be carried out?

Mr. Ross.—They remain as at present. So far as I am instructed, we don't at present want any interference with the police whatever. We don't want to get into a system of complete town government. We want improvement, and we ask you, if necessary, to recommend the application to our district of these moderate powers contained in the Public Health Act. The area built upon in Belfast borough is 3,318 acres, and there are only 1,839 acres built upon, and we submit that the Town Council are going in for a kind of thing that will have a tendency to tie up the improvement of our district, because it is in evidence that whether right or wrong, the people do not like the hovering liability of the Town Council in connection with this great central drainage scheme and other improvements. There is a tendency with people to go outside the borough, and the effect is to injure those people who have been doing their duty in improving these districts.

1958. Mr. CORNUM.—Would the united district suppose it was forced, have any powers more than the guardians at present?

Mr. Ross.—Yes; all the powers within the purposes

of the Act that the Provisional Order would think fit to give.

1899. What other powers would they have? The guardians have no power to light, but they have power to make by-laws as to building and so on?

But the guardians say they are not the fit authority to do so.

1900. The guardians want to get rid of that portion of the union in the county Down?—Yes; and to leave the people to apply these powers themselves to their district.

1901. CHAIRMAN.—How are they to get the money?

Mr. Ross.—That is all provided for.

1902. Mr. COTTON.—You think that a township is a contributory place when it is not contributing to anything?

Mr. Ross.—Certainly it is really a contributory place, that is it can be made contributory, but at all events the Act of Parliament defines it in the 232nd section. These people feel most strongly that if you take any action to place them in connexion with Belfast you injure their property, and if there is not made an overpowering case on public grounds for including these people, I submit their case to you with confidence, for I expect, and I know, you will give a fair and right decision, and if possible encourage local efforts of the people to improve their property.

1903. Mr. CORROD.—Suppose the Chairman comes to the conclusion that this united district cannot be formed at all, what would you say then as to Strandtown, or that they had no power to contract for light?

Mr. Ross.—If you come to that conclusion with regard to light, I think you should recommend a modification of the Act, because it appears that it may be such a highly useful thing in such a case.

1904. Mr. CORROD.—But I am contemplating that we come to the conclusion that the united district could not be formed?

Mr. Ross.—I think it would be a very grave difficulty in my way, but I cannot conceive that at all. As against the will of the people it would be a tremendously strong thing to force this union even in this case.

1905. CHAIRMAN.—You contend that if the joint board was formed, the 27th section would apply to the one of houses in that district?

Mr. Ross.—I think it would be because remember that the united district consists of three sections, and the object of it is instead of making an elaborate lot of provisions it leaves to the Local Government Board the right of private legislation, with respect to their considering all the circumstances of the case; it is to be a Provisional Order, and all people are to be heard; if there is a reasonable objection they are to make in-

quiry. The united board is a creation in its powers of the Local Government Board, and for the purpose of that thing does the legislature has deposited its powers of defining the rights and privileges of that board to the Local Government Board.

1906. CHAIRMAN.—Suppose this district is formed, and anyone contravenes the Act, and is liable to a penalty of £50; that section provides that it shall not be lawful in the urban district, and suppose that in your district a man contravenes the Act so as to become liable to a penalty in Belfast, would he be liable in your case also?

Mr. Ross.—Why not? If the Local Government Board, having regard to the way Belfast is situated, and the enormous quantity of ground in it, think fit to give these powers, why should this district not have them?

1907. CHAIRMAN.—Have the Local Government Board power to say to a rural district—we will make you an urban district?

Mr. Ross.—I think so undoubtedly. (Reads 14th section of Act.)

1908. Mr. ANDREW, G.C.—In section 7 they give a limit to the power.

1909. Mr. ROBINSON.—The assessment you propose to the Corporation scheme is to pay for the requirements of your district, by assessment over a more remote district which is larger than Belfast and of which the valuation is not so high?

Mr. Ross.—No; but I have no doubt the guardians will facilitate the district I represent is getting independent government, and I don't want anything except to keep the Corporation out of my district, and allow me to do as I best can. We have shown ourselves willing and determined to deal with refractory members of our community, and we ask you to allow us to deal with them, and not the people of Belfast, who have nothing in common with us.

1910. CHAIRMAN.—Is there any water company bound by law to supply your district?

Mr. Ross.—I believe we are all provided with water. There is no company bound by law to supply the district!

1911. CHAIRMAN.—Then what do you say to the 76th section of the Act, which says that where there is no water company bound to supply water, the urban authority shall cause the necessary appliances to be provided?

Mr. Ross.—My contention is that the united district is a third class, and separate from the other two, and the provisions which regulate them.

1912. Mr. COTTON.—You have no precedent of a united district being formed?

Mr. Ross.—No, it is entirely a new proposition to meet this case; I will now call evidence.

#### Mr. ROBERT YOUNG examined.

Mr. Robert Young

1913. Mr. Ross.—You are a civil engineer.—Yes.

1914. You have had great experience as to property, and about Belfast affairs generally?—Yes.

1915. You have taken great interest in sanitary matters?—I have.

1916. And you are well acquainted with the circumstances of Belfast as to building?—Yes.

1917. Have you prepared a map showing the position of the present borough built upon and not built upon?—I have.

1918. The red upon this map (produced) shows the portion not built upon?—Yes.

1919. That is within the present boundary?—Yes.

1920. Have you made an estimate of the area of the borough?—I have.

1921. How much is it?—0,800 acres.

1922. I think you don't consider the whole of that properly available for building?—No. I have deducted the following items:—Water works, 35 acres; lunatic asylum, 50 acres, although I think the asylum will be shifted to another site, thus leaving 50 acres more available; Ballynascree intake, 210 acres;

bed of the Lagan, 900 acres; county Down sloe lands, 380 acres; county Antrim sloe lands, 294 acres; docks and timber stores 117 acres, making altogether 1,471 acres.

1923. You have not coloured these places?—No.

1924. Although they are not built upon?—Yes.

1925. The portion coloured red is available for building, and not built upon?—Yes, and suitable also.

1926. You said the entire acreage was 6,905, and then deducting these portions you have mentioned as not built upon, it leaves 5,334 available for building or built upon?—Yes, and deducting the 8,094 acres built upon, that will leave 3,310 acres available for building which I distribute in this way:—2,321 acres in the co. Antrim and 829 acres in the co. Down unbuilt upon, and suitable for building.

1927. At the present rate of increase of buildings when will that 3,000 acres be exhausted?—Without giving particulars it would take sixty-four years, allowing that the population of Belfast increased in the same ratio as at present.

1928. Have you taken the decennial increase?—

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Yes, and the way I arrive at that result is: I take an acre of ground as laid out for small houses, and I find that each acre would give an area for sixty-eight small houses, and I find in the same way taking the average of the houses beyond that class, there would be thirty-three houses to the acre, and I estimate that the small houses are in the ratio of 100 to 300; I take the first period of extension up to 1889 at 39 acres a year, and that would be 300 acres exhausted, and in the next period 1890 I allow 37 acres for the increased population, that is an increase of 35 per cent. on the last decennial census.

1893. That is allowing 33 per cent. increase for each decade?—Yes, that would be 370 acres, and in the third decade, which would end in 1903, I allow 36 acres per annum, which would give 360 acres for the decade, that would give a total of 830 acres for the thirty years; and it would take to the year 1943 before the whole of the land would be covered with houses at the present rate.

1900. CHAIRMAN.—That is entirely with houses of the action dwelling class?—No, in the proportion of seven artisans to three superior houses.

1901. Mr. Ross.—Are there many works at present to occupy the time and resources of the Corporation?—Within the boundary I think so.

1902. What are they?—These great street improvements that are now going on, one of which is in progress. I think there are twelve of them mentioned in the schedule to the Act of 1878. There is the great Blackstaff improvement in which there are four streets comprehended.

1903. What provision exists for main drainage?—I believe nothing has been done, except that the district sewers which are to be carried out will fall in I believe with it.

1904. Mr. Corcoran.—We had it in evidence that the district sewers are being carried out as so to form part of the main drainage system.

1905. Mr. Ross.—What will be the cost of these two great improvements, the Blackstaff and the streets?—There is power taken to borrow £350,000 for the street improvements, and from what I can gather half a million is not an extravagant estimate for what is to be done.

1906. With regard to the paving, flagging, and sewerage of the streets is there much of that to be done?—There is a good deal to be done; and from my own knowledge I would say I know in Ballymacarrett a great deal remains to be done; but with regard to the other parts of the borough there is not so much to be done.

1907. With regard to the old sewers in the lower part of the town will it be necessary to reconstruct them?—I think so. I cannot give any estimate of the cost, but it will be a very large sum.

1908. I believe you have made a minute examination of the property in the No. 1 or county Down extension?—I have.

1909. Is the Connemara the natural boundary between the drainage formed by that district and Belfast?—It is.

1910. Mr. Corcoran.—Do you mean Strandtown could not be drained across it into the Lagan?—Yes.

1911. What do you mean by the natural boundary of the drainage district?—In my opinion there is an insuperable barrier between them.

1912. Strandtown could not be drained across the Connemara?—No; the sewers have been erected in such a way as to preclude that. The district sewers in Ballymacarrett did not contemplate taking in Strandtown at all.

1913. Could Strandtown be taken in?—Yes, by a system of pumping it might be.

1914. Not without pumping?—No, certainly not.

1915. CHAIRMAN.—Is that district drained into the Connemara?—Yes.

1916. Mr. Ross.—Explain the quantity, nature, and character of the drainage that exists in Bloomfield now?—The main sewer discharges at the Connemara

Bridge; a few yards above it and the other sewers are united to that.

1917. How far is that from where the Connemara flows into the bay?—It is a tidal river, there is about 8 feet of water at high tide, and the tide flows out with a considerable run.

1918. Mr. Corcoran.—Is there any nuisance caused in the Connemara by that sewage?—I think not, it is swept out.

1919. CHAIRMAN.—If the water comes up on the flood tide the sewage must be thrown back?—That then is a considerable body of fresh water, at Wain Bridge there is a very considerable body of fresh water set down.

1920. Mr. Corcoran.—But as a matter of fact is there no nuisance caused?—No; the lead of the river is the appearance of a silt, but there is no offensiveness. The sewage is very stinking at present.

1921. Mr. Ross.—What is the nature of the buildings that are being carried on at present?—There are houses built close to the Connemara Bridge, and along Cypress-avenue.

1922. That represents all the portion of this property built upon?—Yes.

1923. That is to say houses with the adjoining land?—Yes.

1924. These are all villas close to Cypress-avenue and the Newtownards-road?—Yes.

1925. Have you made an examination of the street so far as laid off?—Yes.

1926. And of the sewage?—Yes.

1927. Tell the Commissioners such particulars as you think proper, as to the condition of the street and the way they are laid down, and as to the sewers—I think they have been both well laid out, and as to the levels and general construction, they are also fairly well made. They are not made in the very expensive way they would be made in Belfast, but they are quite sufficient for all practical purposes in the district.

1928. Were they carried out under the direction of a competent engineer?—Yes, Mr. Pridgen.

1929. Who made them?—The Messrs. Boyd, the original owners, the lessors. They were entirely made by the owners of the property; Messrs. Boyd retain their rights in part.

1930. CHAIRMAN.—What portion belongs to the Bloomfield Land and Building Company?—There is an arrangement between Messrs. Boyd and the Company that they are to take the land in portions as they require it. All that is inside the dotted line on the map taken by the Company.

1931. The owners of this Bloomfield estate are the Messrs. Boyd?—Originally they were, but their rights are being transferred to this Land and Building Company.

1932. But that doesn't apply to the full extent of it?—No, only to part. Fifty-six acres of the townland of Ballymacarrett belong to the Company.

1933. There is a large portion of this land that belongs to a Belfast Building Company called the Bloomfield Land and Building Company?—Yes.

1934. And they not only build houses themselves, but they let to lessees who have built houses?—Yes.

1935. They are either building themselves upon the fifty acres or have let it?—Yes.

1936. How much progress has been made in laying out streets in that Bloomfield property?—Not very much; it is rather slow; it is not letting in the way it was expected.

1937. Is a large portion of that property agricultural land?—Yes.

1938. Purely agricultural?—Yes, the bulk of it.

1939. Mr. Corcoran.—On what terms do you let it for building on lease; how much per acre?—I could scarcely tell that. I think about £10 per acre.

1940. You would hardly call that agricultural land?—Is not it all available for letting or building?—The Company have not acquired it yet. They only acquire

it progressively. They have an arrangement with the Messrs. Boyd, that on they can let it they take it.

2031. Their arrangement is altogether looking upon it as building ground and not as agricultural land?—Yes.

2032. There is nothing to bind the Company to take it, and it is progressing slowly at present?—Yes.

2033. CHAIRMAN.—Do you know what they are paying per acre to Messrs. Boyd?—I don't know that.

2034. Mr. RENTON.—Are the houses there of recent erection?—Perhaps eight or nine years.

CHAIRMAN.—Building is going on there?—Yes.

2035. How far is the nearest point from the borough boundary?—About 20 yards.

2036. Mr. ROSE.—Comparing the condition and care of the roads as far as laid out with those in the Ballymasarett portion of the borough, what is the character of them?—I should say upon the whole they are superior to those in Ballymasarett. Ballymasarett has, however, been included in the town, and now the Town Council is doing a great deal for it, and it has changed its aspect very much.

2037. CHAIRMAN.—Then Ballymasarett has benefited considerably by being brought into the town?—No.

2038. The roads have?—They have been taken in hand by the Corporation, and they are doing something to them.

2039. You say that it was a very neglected estate?—Yes, that was while the Corporation had it.

2040. Take that tract of land there, and in your opinion as a skilled person, would it be prejudicial to the owners of property that the land should be included in the borough?—I think so.

2041. Can you say of your own knowledge whether the people are averse to being included in the borough?—I cannot say of my own knowledge, but I have spoken to people and they did object.

2042. CHAIRMAN.—What is your own view, and why do you say it would be prejudicial?—On several grounds: first of all it would be certainly of greater taxation.

2043. Mr. COTTON.—What do you think the increase would be?—I think as far as I can see it would be about double. My opinion is they would get on the full rating power then.

2044. You go on the supposition that the rate would be doubled?—Yes.

2045. And interference of the Town Council would be extremely unpleasant for those trying to do the best they can for their property?—It would be very unpleasant to have any foreign body interfering with powers of the most arbitrary character, dictating to them and compelling them to do things they might possibly think not right, and at any rate interfering with them. Few gentlemen would wish to have people coming in interfering with their building arrangements.

2046. You would rather have no authority at all?—Quite the contrary, I think there should be authority.

2047. CHAIRMAN.—Would you allow any man to build a house as he likes?—Certainly not.

2048. What authority would you have then?

2049. Mr. ROSE.—I allude to this particular district, and I think this Company have been going about their work in a wise way, and they have been consulting professional men as to the laying out of these streets.

2050. CHAIRMAN.—Do you think they should not be interfered with by any one?—I think they should be amenable to a sanitary authority.

2051. What sanitary authority?—The rural Board of Guardians are, I believe, quite competent, and, as far as I can see, the Act gives them full power.

2052. Mr. COTTON.—But have they not, as a matter of fact, refused to pass any by-laws?

2053. CHAIRMAN.—That was because there were by-laws being made by the Central Body. (To witnesses).—As far as you know the Public Health Act, which is now nearly a year old, has not been carried

out yet, or may by-laws framed?—I am not their advocates, but it appears to me that the law, if put in force, is quite competent to deal with the district, and I think they could be compelled by mandamus to do it.

2054. Mr. ROSE.—I believe the Corporation have power to take up these streets if they are laid down, and charge the cost of re-making them?—Yes.

2055. What are the other reasons that influence you?—They have repeatedly, as I understand it, and judging from what they have done, I believe they would do it, compelled the owners of property to re-make such streets as those that are not county roads, and have them covered, flagged, and all the rest of it.

2056. Mr. COTTON.—You mean if they are not in a good condition now?—Yes.

2057. What do you mean by re-making a good road?—It simply means putting an enormous expense on the owners of the land.

2058. Unnecessary expense?—Yes; that is to say to comply with some requirements which, no doubt, may be very proper in a place like Belfast, where there is an enormous thoroughfare, but unsuited entirely to country roads.

2059. That they would make them all good?—Yes.

2060. Mr. ROSE.—Is it your opinion that if that district was included, the improvement of the land would be discouraged?—I think so.

2061. CHAIRMAN.—Do you think it would be an advantage to the district to have lights in it?—Those things must all be measured by the cost of them, and as the inhabitants are not at all anxious for it, I don't see why it should be.

2062. Mr. ROSE.—You know the condition of Ballymasarett. Is the value of that property beyond the Corporation actually prejudiced by the way Ballymasarett has been treated by the Corporation?—Yes; and now the Corporation are doing a good deal, and they are damaging the aspect of the district very much.

2063. CHAIRMAN.—Have you ever seen any advertisement issued by this Building Company for letting this land for building?—I have.

2064. Did you see it advertised that they had all the advantages of the borough, and avoided the taxation by being just outside the boundary?—Yes.

2065. Mr. ROSE.—I suppose no matter how far the boundary is put out the same reasons would apply?—Yes.

2066. CHAIRMAN.—Do you know Gretton Villa, Bladen Park?—Yes.

2067. Well, here is an advertisement as to residences to be let there—

“GRETTON VILLA, BLADEN PARK.

“To be let, with immediate possession, one of those superior villa residences, situated in Bladen Park, Malone Road, within two and a half miles of the Exchange, immediately outside the borough boundary, and consequently exempt from local taxation. For terms, &c.”

2068. Mr. ROSE.—Don't you know the green boundary line?—Yes.

2069. And would the same thing apply if the boundary was extended on to the part outside the green boundary?—It would.

2070. And would not the same argument be used?—It would.

2071. CHAIRMAN.—What are the advantages villa residences, immediately outside the boundary, enjoy?—You have stated some of them there. If the town was properly scavenged and well lighted they get all the advantage of it, and the advantage of having gas up to the very doors, and the town gets the advantage of the people who live there, and who come in to spend money, and there is another advantage that these beautiful places outside serve as parks for the convenience and recreation of the townpeople. I consider that passing along and seeing places like these is a very great advantage.

2072. Mr. ROSE.—You were asked about the letting

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value of the land?—I think the value is about £6 an acre. I was taking Messrs. Boyd's only when I said £10.

2073. What is the value of a similar area in the centre of the town of Belfast?—I cannot say what the centre would be, but taking the whole area built upon in Belfast, and dividing it by the valuation, I find the Government valuation of it is £269 an acre.

2074. That includes buildings?—Yes; that is land and the buildings upon it. The other land is only valued at about £3 an acre.

2075. Mr. Corcoran.—That is the unbuild upon part within the town?—Yes.

2076. Mr. Ross.—The inherent value of that land if it was being disposed of would be how much?—Fully £400. I know a plot let the other day of not more than half a rood, and it was let at £400.

2077. Mr. Corcoran.—To be built upon?—No, it was built upon.

2078. What would be the letting value within the city area the boundary?—£40 or £50.

2079. CHAIRMAN.—Is there any unbuild upon ground at the Cornwater bridge?—Yes.

2080. What is that value for, per acre?—I would say probably about £40 per acre.

2081. And you go across the bridge, and what does the Building Company get for their land?—I think about £30.

2082. Mr. Ross.—How do you account for that?—In the one place the ground is wanted for workers' houses.

2083. Is it a fact that the value goes down from the large sum you have stated to the sum you have just mentioned in Mr. Boyd's property?—It does not go down so rapidly as that, but it decreases.

2084. CHAIRMAN.—That is land available for small houses at once reduces the amount of ground available for gentlemen's residences?—Yes.

2085. Mr. Ross.—And they would necessarily be driven outside the boundary?—Yes, they go outside to avoid the smoke and the discomforts of the town.

2086. It has never been proposed that the enormously increased value of the land inside should be shared with the people outside?—I have not heard it, but this would appear to be a movement in that direction.

2087. You never heard the townspeople propose to share the increased value with the people outside, although this is to extend the tax powers to the local districts?—That is the appearance of it.

2088. CHAIRMAN.—Do you know the value yourself of what you call purely agricultural land in the Bloomfield portion of the estate?—I think from £3 to £4 an acre.

2089. And what would it be worth if it were six or seven miles further off?—About 30s. or £2 an acre.

2090. What causes the increase?—The proximity to Belfast.

2091. Is the land then more valuable on account of its being close to Belfast?—Undoubtedly.

2092. Is it your opinion that the persons getting these advantages and getting the larger rent out of the land should pay anything?—I don't know where you will stop, you should include the whole of Antrim and Down.

2093. No, I ask you as compared with the land six or seven miles off?—I say the same thing about a great deal of the property between this and Holywood that is all improved by Belfast. This town exercises an influence in raising the value of the land all round, and the Poor Law authorities take that into account.

2094. They value on account of its proximity to the town, and do you think that the people living in this property derive any advantage from having the town property kept?—Yes, the same way as people in the county Antrim and Down.

2095. But they don't come in and use the town as the people living out here do?—Yes, some of them

do—they drive from Holywood and Bangor and so on.

2096. Supposing there was no increased taxation, and that you could not get light or police government or a proper governing body?—But I think we can get on.

2097. But suppose you cannot get a governing body and that you must only be formed into a township?—If that is to be attempted and these other conditions arise, I would say that after a certain period, after building has gone on a good deal further, it should be incorporated into Belfast. But if these matters can be done without for that time—I think they should be allowed to stand out.

2098. Do you apply the same observation with regard to Strandtown?—No; I am not strong as to that, for matters are not so well attended to there, but if I am right about the rural sanitary authority having power, I think it could be equally well treated.

2099. You are aware that Strandtown was to be made a township lately?—I was not concerned in that, and what I said applies to Lower Spylgan, where there has been a great deal of residence and a difficulty in dealing with it, but I think under the amended powers given last year it is quite possible to overcome the difficulty.

2100. Mr. Ross.—You know the people are willing to get rid of these evils?—Certainly, most anxious.

2101. CHAIRMAN.—They must have thought it absolutely necessary when they went to be formed into a township?—Yes.

2102. Mr. Ross.—We are not unwilling to incur the expense in our own way, to show that I have no idea that such districts should stand out and not have sanitary arrangements. I have been of strong opinion for some time before I heard this idea about united districts, that the Town Council and rural sanitary officers should appoint a joint committee and draw up regulations with regard to such buildings as these, and I don't see why that might not be done yet.

2103. CHAIRMAN.—There is no authority to do by law?—No. Though they might co-operate together, and frame reasonable conditions such as would cause that as building went on there would be nothing to prevent this place being incorporated with the town afterwards, and avoid the difficulties that do occur where districts are included.

2104. Mr. Andrews.—How enforce them?—Under the powers of this recent Act. I am not a lawyer, but it appears to give these powers in a very ample way.

2105. CHAIRMAN.—Mr. Ross asked you whether the Corporation had not a great deal of work on hand; is it that you think the Corporation would not be able to look after any further districts?—Yes; without a large increase of their staff.

2106. Do you mean that the forty members of the Corporation would not be sufficient, or that the officers would not do?—I am not speaking of Mr. Black or Mr. Montgomery, except that I would be sorry to see them overworked. These things that are spoken of are not taken up yet. There are these enormous street improvements which will occupy their best endeavours, and this enormous drainage scheme, and there is a great deal, perhaps, here, in proportion to the town, that is pending in Liverpool.

2107. Mr. Andrews.—In making your estimate of the land built upon, and the land unbuild upon suitable for building, I did not gather that you made any allowance for the dwellings within the borough?—No.

2108. Do you know that Mr. MacCormack holds forty acres, or a little more?—I could not tell.

2109. Or Mr. Mullin's, or Mr. McCannell's?—I don't know, but I can give them all if you wish.

2110. And there are a good many villas there also?—Yes.

2111. What allowance have you made for them?—None.

2112. There are a good many mills?—Yes.

2113. Mr. Corcoran.—You treat the ground around

a villa as still available for building upon?—I omitted all the villa land from my coloured map.

2114. Mr. Andrews.—Why did you give no allowance for dormers?—Because I know they will come in for building afterwards.

2115. What?—Probably as soon as the land increases in value around them.

2116. You assume that these gentlemen who have handsome villa residences will break up their ground for building?—I do.

2117. Do you make any allowance for Ormeau Park?—I did the whole of it.

2118. Do you make any allowance for the portion of the land in Malena about the bog meadow?—It is all down upon the map.

2119. There is some of it cannot be drained?—There is none of it can be drained, and none of it can be built upon.

2120. You say it would take sixty-four years to exhaust the ground, allowing so much for each small house, but did you not make allowance for large factories being built?—Well, there are not so many as there used to be; I made liberal allowance.

2121. You live just outside the boundary?—I do, on the Austin side.

2122. You have some property there?—Yes.

2123. Were not you one of the gentlemen who applied to drain your property into the borough?—I was not here at the time of the inquiry, but what Mr. Montgomery stated was substantially correct.

2124. Did you apply for power to drain into the borough?—It is essential that I should explain. I was engineer to the rural sanitary body, and I happened to be living there, but I was not at all concerned in it immediately, mine was a very contingent interest.

2125. But you did make application to be allowed to drain into the borough, and it was allowed?—I cannot say it was.

2126. And you began to differ amongst yourselves as to the place to be drained?—No; we did not differ amongst ourselves at all.

2127. But it is not drained at all?—No; three or four gentlemen went and were immediately told a sewer would be charged £d. in the pound, or something like that, and that I did not consider was unfair, but the condition I did complain of was that we were to bind ourselves that no other people were to use the drain, and that we were to constitute ourselves a sanitary police to prevent anyone else using it.

2128. Mr. Corbett.—Have you any control over your own sewer?—It is not our sewer, it is the river bed covered over and converted into a sewer, and it is a very good sewer, and how could we undertake and say we would not allow anyone in the upper part to come in and drain into it also.

2129. Does the drainage from the upper part come in?—Yes; and by this arrangement we were to bind ourselves to prevent other people contributing to the drainage perhaps at a mile distant, the thing was simply absurd.

2130. CHAIRMAN.—Who is the sanitary authority of your district?—The Poor Law Guardians.

2131. Does your district require drainage?—No, it requires an outfall.

2132. Where does the drainage go to now?—Into the stream, which passes down and discharges into a ditch or large gripe along side the railway. Fortunately it is at a place where it does not do much mischief.

2133. Then it discharges into an open cesspool which is a nuisance?—Yes.

2134. And the guardians, who are the sanitary authority, have allowed that to go on for how long?—About ten years.

2135. And nothing has been done?—I don't think that it has been any nuisance.

2136. You think that is a body to be entrusted with a larger district?—They had not the ample powers they have now.

2137. They had the Public Health Acts of '66 and

'74?—But they had not power of dealing with the other sanitary body.

2138. What sanitary body?—The controversial sanitary body.

2139. But they should have made a covered cesspool, and have had it cleaned out from time to time?—It would have been an impossibility to have done that.

2140. Mr. Andrews.—Do you know the Connawater?—Yes.

2141. You describe it as a natural boundary and as the place where the drainage of the district beyond it would flow into?—Yes.

2142. It is not a nuisance now because the sewage is trifling?—Yes.

2143. What will it become when you drain the whole of Strandstown into it?—I expect it will be swept out in the same way as the Lagan sweeps out the sewage of Belfast; and it would be like the nuisance of the Lagan or the Blackstaff.

2144. Ballymacarrett say you have assumed a much better aspect since the Corporation got control over it?—Since they began to make sewers.

2145. Don't you know they did not get it separated from the county Down until '68?—Yes.

2146. And there is no doubt it is very much improved in value since?—I cannot say as to that, but the appearance of it is very much improved.

2147. Mr. Ross.—Have you made any examination of the back streets in Ballymacarrett recently?—Yes.

2148. What was the result of it?—There is a great nuisance near Lennon's-row. Some houses discharge their sewage into what was a brick field, and it trickles through it, and I think it is a very dangerous nuisance, and just below that there are six small houses without any back accommodation, which I think quite disgraceful.

2149. You think that compares unfavourably with the state of the Bloomfield property so far as it has been dealt with?—It does. There is another very disgraceful nuisance at a place called Foundry-pore, which is quite close up to Ballymacarrett, and there is a great heap of refuse there. It is about thirty feet wide at one end, and abuts against a wall, and the people sling all their liquid refuse out on the top of this solid refuse, and the result is a great mass of nuisance.

2150. Mr. Macdonnell.—Are you acquainted with the drainage of the Fort William park district?—Yes.

2151. Is there sufficient arrangement for drainage there?—Yes, except as to the outfall.

2152. But that could be made perfect at a very moderate expense?—No, I think not.

2153. Suppose that this main drainage scheme is over constructed could not the Fort William sewer be discharged into it at a very moderate expense?—Yes.

2154. You don't think it would be desirable to tax them for the main drainage scheme?—No doubt they should make reasonable contribution.

2155. And you are aware there is power to assess the contribution by arbitration?—Yes.

2156. What distance is there between the end of that main drainage at Fort William and the Town Council's drain?—About twelve yards.

2157. So that all that would be necessary would be to continue the drain for that distance?—Yes.

2158. What would be the cost of making that?—About £30.

2159. You are aware that under the 31st section of the Public Health Act the sanitary authorities have a right to settle by arbitration what the contribution is to be?—Yes.

2160. And you don't think it necessary to have the boundary extended so far as these places are concerned in order to make the drainage all right?—No.

2161. What is the nature of the property in Chi-

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chester Park—is it a place purely allotted to villa residences?—Yes.

2162. And the same as the Fort William Park?—Yes, except a small part that lies along Rothermill road.

2163. Are you aware there is an express covenant in the Chester Park lease against building more than one villa on one and a half acres of land?—I understand so.

2164. Fort William is enclosed by gates?—Yes.

2165. Is there any necessity for having that place lighted?—I don't know.

2166. Is it purely for the people there to say?—Yes, I think so.

2167. Are you aware the vast majority of the people almost unanimously are opposed to this extension?—It is the universal opinion.

2168. Are you aware of any advantages that would accrue to those people from extension of the boundary?—I am not, except in that matter.

2169. As to watching, are you aware of any necessity for having this place watched by the Town Council?—No; the county police watch there.

2170. So that so far as lighting, and watching, and sewage are concerned, there is no reason whatever for extending the boundary there?—No; the only point is, that if they came in the Water Commissioners would have to take off the 3d. in the pound differential rating.

2171. Do you consider that a very small matter in facing the enormous increase?—Yes.

2172. What is your County Cost?—About 2s. in the pound.

2173. You have heard some very rosy lines as to the amount you would be asked to pay. Taking your experience as to Belfast, what do you think would be the difference between the taxation you would be called upon to pay, if you were brought into the town, under the Main Drainage, and what you are now paying?—I look upon that as something frightful, and it is only looming in the distance.

2174. The Council have powers, under the Sanitary Act, to levy contributions two or three years before they execute the works?—They had power to attack the Blackstaff since '47.

2175. CHAIRMAN.—Do you think the abatement of the Blackstaff nuisance would be an advantage to the people in Fort William Park?—Yes, the same way as to the people in Antrim and Ballymena.

2176. Mr. MacMorris.—What would be the difference in taxation?—The thing has not been occupying my attention, and I could not really say.

2177. CHAIRMAN.—You pay 3d. in the pound differential Water Rate, and that would make with the County Rate 2s. 4d. Is there any rate for sanitary purposes?—No.

2178. Have you any acquaintance with the modes in which the villas in Chester and Fort William Parks are constructed?—Yes.

2179. Does it meet all sanitary requirements, so far as you are aware?—I cannot answer that.

2180. As far as you are aware?—I have not examined them sufficiently.

2181. But in the case of first class houses?—Very often the first class houses have not perfect sanitary arrangements.

2182. I suppose you are also aware that in Fort William Park the main sewers and roads are to be kept in repair by the Landlords?—So I have heard.

2183. Suppose the borough boundary to be extended, would not this change which now falls on the landlords be practically thrown on the houses?—Yes.

2184. Do you consider that a case of great injustice to the houses?—Yes.

2185. And you are not able to give a single reason, so far as the people there are concerned, for extension. Cannot you give me any reason in favour of the Town Council not getting more money to enable them to interfere as they have done for the last thirty years?—I don't wish to say anything hard.

2186. Supposing they did get extension, they would be taxing the people who get very little benefit for the purpose of lightening the burden off those who had got all the advantages?—That would be the effect of it.

2187. Would that be fair?—It would be very unfair of them.

2188. Have you heard any Town Councillor or Alderman coming out to advocate this before the people?—No.

2189. So it is left entirely in the hands of Mr. Black, and Mr. Montgomery?—Yes.

2190. CHAIRMAN.—I don't think that a fair way to put it, for I have it on the notes that Mr. Black has been departed, with Mr. Montgomery, to give evidence. The Committee of the Corporation met, and they adopted the report of their engineer, and they authorized Mr. Black and Mr. Montgomery to give evidence here.

2191. Mr. MacMorris.—But we have not got any-one publicly to come forward before the rate-payers as advocating this under his own name.

2192. Mr. Black.—There are thirty-two to eight of the Council for it.

2193. Mr. MacMorris.—The people who should know the Town Council would rather see members of the Town Council coming forward in their own names.

2194. CHAIRMAN.—Do you think it would be for the benefit of the villa owners immediately outside the boundary, and for the owners of this property which has been built upon, to have a Fire Brigade?—You mean in the event of a fire occurring?

2195. Certainly?—I think it would be an advantage.

2196. How do you propose to get a Fire Brigade from the sanitary authority?—I am afraid it does not contemplate that.

2197. Then, how would you manage this district, which comes up within twenty feet of the borough boundary, without the advantages of a Fire Brigade?—People who come there are willing to run the risk in all small towns.

2198. That is, the gentlemen who live in villa residences are willing to run the risk in order to avoid coming into Belfast, and thus avoiding a little extra taxation?—It is a fact.

2199. Are you aware that that is the feeling of the villa proprietors in that place?—Yes, and in thousands of other places. A fire occurs once in twenty years; they get a fright, but they get over the fright and go on again.

2200. Mr. Ross.—You are a civil engineer resident in Belfast, and well acquainted with the circumstances of the town?—Yes; pretty well.

2201. You are engineer for the Poor Law Board?—I am.

2202. Have you heard a calculation, made by Mr. Young, as to the quantity of land suitable for building within the town?—I have.

2203. I suppose, without troubling you to go through

it, I may say you generally concur in what he has said?—I made calculations for myself, and, as to the acreage, I quite agree with him.

2204. Including the acreage suitable and available for building?—Yes.

2205. And you agree that it will take a very long number of years to use up the amount of ground which the Corporation have in their dominion?—I think something like half a century.

JAMES F.  
MacKinnon.

JAMES FRANCIS MACKINNON, examined.

2200. Mr. Ross.—You are a civil engineer resident in Belfast, and well acquainted with the circumstances of the town?—Yes; pretty well.

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2204. Are you aware there is a large number of very expensive improvements to be made in connection with the Main Drainage, and such matters, in the present area?—I am.

2205. And these will, I suppose, involve large expenditure?—Yes.

2206. Have you formed any opinion as to what the expense would be in regard to the streets and the Main Drainage?—No; not further than taking the estimate of £250,000 for the improvements, and the intercepting sewer will probably cost £200,000.

2207. Do you mean the Main Drainage?—Yes.

2208. Take the Strandtown district, on the other side of the Coneywater, does that naturally fall in with the drainage system of Belfast?—No.

2209. Could it by arrangement be drained into the Belfast system?—I don't think it could be sewered under their present system.

2210. It would involve a reconstruction of the existing sewers to bring in Strandtown?—I would not say that.

2211. Well, to what extent?—Probably to some extent.

2212. To what extent?—I think Strandtown would have to have a different outfall to what Belfast has.

2213. Do you think that would be necessary?—I think when Strandtown comes to have streets, and all that, there should be a main sewer, with a separate outfall, on the other side of the Coneywater.

2214. Are you acquainted with the general character of building in the Strandtown and Knock districts?—Yes; they are all generally large and expensive villas, and situate on lands varying from two acres up to sixty acres, and, I think, in some instances seventy acres. The ground is generally very well laid out and arranged.

2215. Would you call it a town in any sense?—It would not be in any shape or form a town at all, it is a rural district.

2216. CHAIRMAN.—It is a district of villa residences essentially?—I think that would be a proper description.

2217. Would you call it a suburban residential district?—It is very difficult to draw the line. I call it villa residences, and I look upon it rather as private residences, and the people get outside the boundary with that view.

2218. With a view of escaping taxation?—That is one thing, most decidedly.

2219. Mr. Ross.—Don't you think it would have an influence, in fact a condutory, effect on property as it now exists, to extend the area to parts of the Strandtown district?—I think it would reduce the value of that property.

2220. Reduce the value of it as at present belongs to the holders?—Yes.

2221. CHAIRMAN.—Is that on account of the increased taxation?—That is one of the causes.

2222. What are the others?—There is fear they would take it under their own control. There is no control there now; each residential proprietor controls his own plot, and there is no one to control him.

2223. Do you think that is a good state of things?—I think, as matters stand now, I see nothing in Strandtown to require any special supervision up to the present.

2224. If that be so, why was it that these owners of property there went in to make a township of it, and add it was necessary, in their opinion, to have a governing body, so as to regulate the district?—I cannot give their reasons, but probably one of them was that they thought the county road was not properly attended to.

2225. And that they, by getting the district made a township, would be better able to manage the roads than the county?—I don't know of their reasons, but owing to some of the contractors not putting on the full quantity on some of the roads there was dissatisfaction. I cannot give you that authoritatively, but they

wanted to do the work for themselves; they thought they would get better value.

2226. Mr. Ross.—Comparing the condition of this district, where there is no control, with the Ballymacarrett district, which has been under the control of the Corporation since '33, what is the difference?

2227. Mr. Ross.—The Corporation had no control over the roads till '88.

2228. Mr. Ross.—I speak of the sanitary condition of the Strandtown district, and of the Ballymacarrett comparatively?—I think Strandtown is in a better sanitary condition than Ballymacarrett.

2229. Do you extend that to the whole district proposed to be taken in on the county Down side beyond the Coneywater?—Yes; there has been a great deal of the Ballymacarrett district improved; and, no doubt, it will all be improved.

2230. Have you made any estimate of the cost of keeping the roads in repair in that district?—I have.

2231. Explain that to the Commissioners?—I have made an estimate of what all the roads, included in the district, would cost. The county roads cost £284, and the private £113, altogether £397, and then with the portion of the county at large charges of the supervision, I find that it would take a rate of 1s. 9d. in the pound to meet the expenditure, and I say 1s. 10d. to cover all the expenses.

2232. CHAIRMAN.—Then as regards the rate, there would be no loss?—No.

2233. Mr. Ross.—Do you think it is necessary to have an elaborate system of watching in that district?—I think not.

2234. The ordinary watching in the country districts would do?—I think so.

2235. Is there any natural or artificial boundary dividing this district from Belfast, other than the Coneywater?—I think the Coneywater and the county Down Railway, taking that district greatly outside Belfast.

2236. There is a portion of the railway on the other side of the Coneywater?—Yes.

2237. There is a double division, one natural, and the other, so to speak, artificial?—Yes.

2238. Do you think the Coneywater is at present a nuisance?—It is not a nuisance. The sewage that goes into it flows into a very large body of water.

2239. And there is no bad smell from it?—No; I look to Bloomfield particularly, and I think they have a very good arrangement for sewage. The roads are very well made, and everything like that, and if the Town Council had the district I don't think they could do anything better than at the present time.

2240. Mr. Ross.—Without the intercepting sewer?—In Belfast they can do no better at present than they are doing without the intercepting sewers.

2241. And the people there are anxious to get the intercepting sewers?—I don't know that of my own knowledge.

2242. Don't you think if it was a discretionary matter with the Council whether they should extend their lighting and watching powers to this district, it would have an injurious effect on property?—I think it would. I think it would be almost better to put on the tax at once than to have it in suspense over them.

2243. It has a deterrent effect in your opinion?—That is my opinion of it.

2244. Have you made any examination of the Ballymacarrett roads and lanes?—Yes.

2245. What condition are they in?—There is portion of the town which is very well treated; so far as it goes it could not be better done, but there is a very large district which requires attention. There is a large portion which requires a footpath to be completed, and all that.

2246. If the Town Council should see fit to exercise its discretion in directing these roads to be remade and flagged, do you think that would have a serious effect on the value of property?—It would, because a great deal of that land was let at £5, and a

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great deal of as high as £11 an acre; and take the land at £6, which requires flagging to be made, it would simply put double the rent on that land. I am speaking of private roads, and if the rent was £6 an acre the cost would be tantamount to raising the land at £12 an acre.

2249. So you think the fear is not such an unreasonable one after all?—No; I think they have a very good ground for objecting to come in.

2250. CHAIRMAN.—But if the joint Board were to act as the Council is supposed to act, they would not take up these roads without seeing they were properly flagged and in order, and the expense in that case would be the same.

2251. Mr. Ross.—Of course, but we would arrange according to our means. It is a totally different thing dealing with a district like that, by a wealthy Corporation like Belfast, from what it would be dealing with their own property themselves.

2252. CHAIRMAN.—Supposing the Local Government Board appointed a number of magistrates as members of the Board, and that they took steps to have all the roads put right, would not the expense be the same as if the Corporation had ordered that to be done?—That depends on the discretion of the persons who are to determine it.

2253. Have you made the slightest calculation yourself as to what would be the increased taxation on these parts if brought in, when you say there will be this large increase?—The increase that I look upon is rather the power they have to increase.

2254. Mr. Ross.—The maximum rate in Belfast is 4s. 4d., and what do you say would be the expense the people could bear, everything that is necessary for in that district?—The whole thing ought to be done for 3s. in the £, my calculation for the maintenance of the roads is £1,500, allowing £325 watching and £491 lighting, that is, £2,516 altogether. Then I say £2,602 for margin purposes, which would be 3s. in the £ in the valuation.

2255. And what do you put down for scavenging?—I say I would do all for 3s. in the £.

2256. That would be as against the present rate in Belfast?—Yes.

2257. Mr. Black.—But that is taken on the lands, while our maximum is taken only of buildings.

2258. CHAIRMAN.—They can only put 3s. on the land for everything.

2259. Mr. Corry.—Do you not separate the value of houses and land in that £17,000?—No; I could not, further than this, that I know land is let from £6 to £11, and building and agricultural land at £8.

2260. Mr. Ross.—I would like to know on what principle the land of Belfast is valued, for it is only put down at £9,000.

2261. Mr. Black.—The value of land in the extension proposed on the county Down side is £3,751 5s., and of houses £14,509 15s., half annual rents £484, making a total of £16,795.

2262. Mr. Ross.—Can you tell me the value of the land in the Borough?

2263. Mr. Andrews.—£9,815.

Witness.—That is about £5 per acre.

2264. Mr. Brown.—In calculating your expense of watching and lighting did you take into calculation anything for expenses of officials, supposing that this

place was formed into a united district?—I put down £100 for that, and I put down also for the supervision.

2265. That would in fact represent the salaries of the officers of the body you propose to form to govern this district?—Yes; I expect they would have to have a surveyor over the district.

2266. CHAIRMAN.—And what salary would you have to give him; and you should have a secretary, and sanitary officers, and you should have a room in which to transact your business?—That would be if we were a township.

2267. Mr. Brown.—You have put down the whole expense, I see, at £11,451?—But I have put down another hundred which I added to that.

2268. Do you—I understand you to say that you gave me over this map, which was prepared by Mr. Young, and when you made a calculation as to the portion of land suitable upon, it agreed with Mr. Young's calculation?—I went over the whole district with Mr. Young, and I made a calculation myself of the area.

2269. Did you examine this map after it was prepared by Mr. Young?—I had it in making my calculation.

2270. And I see you colour land unsuitable upon and suitable for building, demesne lands, villa lands, and bleaching greens, and I observe you have put in a white spot round Thendale, which is a farm I happen to own there myself?—I cannot recollect.

2271. You see this place of Dr. Ritchie's, the Grove?—Yes.

2272. And you see a small white piece of ground which is the only place you exempt from being suitable for building?—Yes; but I don't look upon that as coming into the market now, but by the time that that will be covered over with houses the land will become so valuable that the people will give up their ground at their private residences for building purposes.

2273. At the end of the half-century?—No, before that.

2274. You said Strandtown would require a separate outfall for drainage purposes?—It would, supposing there was an intercepting sewer along the Lagan on the county Down side.

2275. Is there any engineering difficulty in carrying the Strandtown drainage through that intercepting sewer?—If it was continued on towards Strandtown then there would be no difficulty.

2276. Would there be any difficulty in carrying it through Ballynacreevy?—None whatever.

2277. So you could connect Strandtown, supposing there was a main drainage system?—I think it would be connected with it when it came immediately opposite Strandtown. I take it for granted the outfall would be out into the lough.

2278. Would there be any engineering difficulty in the way?—If the sewer is sunk so deep that you could get under the Conservator into it the difficulty would be removed.

2279. There should be a new sewer leading to the intercepting sewer?—No doubt under the Main Drainage arrangement it could be made to connect; but I think it would be more convenient to have a separate system for Strandtown.

Witness  
Answering.

WILLIAM ARMSTRONG, examined.

2280. Mr. Ross.—What is your profession?—I am in general business.

2281. Where do you live?—Ballymisert.

2282. You have a villa there?—I built a residence there myself.

2283. I believe you know all the circumstances of the districts of Ballymisert, Knock, and Balmacreevy?—Very well.

2284. Are there existing nuisances there that require to be removed?—Ballymisert is situated at the

other side of the hill, and has no connexion whatever with Belfast. If you stand out on the fields there and look about you, you might as well be twenty miles away; it is the open country. In the entire township there are only twenty-one houses, and there have been only two houses built within the last eight or nine years, and most of these houses are large fine villas with twenty acres or upwards of land, and it is altogether a rural farming district, and it is not connected with Belfast in any manner of way. The

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sanitary arrangements are perfect, and there has never been any complaint of it by any sanitary authority. No sewage could be brought from it into Belfast.

2285. Mr. Corbett.—Are you within the proposed extension?—I am.

2286. Mr. Ross.—That is only as to Ballynisset?—Yes.

2287. Do you know Strandtown, Ballyhackamore, Knock, and Ballycloghan?—Yes.

2288. Does your description of Ballynisset apply to these places?—Yes; it is a perfect description of Ballycloghan and Knock. There are acres of fields, and it is a regular farming district.

2289. What about Strandtown?—It is more thickly populated, and it is in a different position altogether from these other three.

2290. But does it not consist chiefly of villa residences?—It does; there are some villas and some small houses.

2291. CHAIRMAN.—Would you call it a suburb of Belfast?—It might be called that if you stretch the imagination a bit, but that would not apply at all to the others in any shape.

2292. Would that apply to Sydenham?—No; it is a wide place, and there is no particular place called Sydenham. Strandtown and Ballyhackamore come between Belfast and Ballynisset, Ballycloghan, and Knock.

2293. Do you remember the time when they held a meeting to constitute the district into a township?—I do.

2294. What was the feeling of the people on the subject?—The majority were in favour of the township, but I was not in favour of it myself; in fact, nearly all were in favour of it.

2295. The object of the whole thing was for the purpose of getting a kind of government to prevent abuses?—It was that, together with the fact that it was reported that the Town Council contemplated taking that district in. I was told that myself by a very influential member of the Town Council; that was before the public meeting a considerable time.

2296. When was that?—The township meeting was two years ago, and it was previous to that.

2297. An influential member of the Town Council told you?—Yes.

2298. Have you any objection in giving his name?—It was stated in public meeting. The great fear of the people was because of the Town Council coming in, and we don't want them at all; they are not a very favourite body.

2299. Do you remember a meeting called for the purpose of taking the feeling of the people on the question of the incorporation of the town?—Yes; there was a meeting lately.

2300. That was the meeting at which Mr. Howson presided?—Yes, it was a very large meeting.

2301. Did you see that petition? (see Appendix No. 6).—Yes.

2302. I believe Mr. Howson has signed it?—Yes; nearly every one in the district would sign any petition against extension. You would hardly get an exception in the whole district.

2303. This is in Ballymacreagh?—I believe take it all you would have very few exceptions.

2304. You did not hear that since Mr. Black's evidence they had all come round in favour of extension?—I don't know a man there from the time I leave Belfast until I reach my own house in favour of it.

2305. Are you really expressing to the Commissioners honestly the feeling in the district?—I am; there may be exceptions, but I say that generally I don't know anyone in favour of the extension.

2306. What are the objections?—The general impression is that it would be a great depreciation of property to have the Council having any control over it. I know when I want to build a house myself I want, outside the Corporation, and I don't want anything to do with them at all, for if I want to let the ground I could not let it as well if it was inside.

2307. Mr. Ross.—If they got this extension

would you go beyond the boundary yourself?—I would sell the land for a good deal less, if they had, and I paid £3,000 for it. We have the best possible arrangements in the district: we have the best water, and we don't want any extension, and don't see what advantage we would be to the town.

2308. Are there any other reasons?—I believe the tax would be higher.

2309. Why?—There is a large debt on the town, and if we were brought in we would have to participate in that, and there is an imaginary expense which was purely imaginary, for they would not fix any taxation for the scheme of sewerage, and our prospect of that taxation would be something, and I don't think the Council would fix a special tax on our district. We want no water; there are no streets in our districts. We want no supervision. There are no robbers in our district, and we want no more police. Everything is peaceable and quiet, and I suppose if we got the Town Council and the police out there we will have riots. I never knew a fire in our district.

2310. CHAIRMAN.—Do you mean that the Town Council and the police create riots?—They are very good helpers.

2311. What do you say to the advertisement about property enjoying all the advantages of the town, and being just outside the boundary and thus escaping taxation?—My property had all these advantages before I took it and I paid for them.

2312. Do you think it fair that houses there should not pay one farthing?—Do you expect I can answer that. I take the ground at a certain rate, and all the advantages might be to the landlord and not to me, and I consider all the advantages I get from Belfast are compensated by my living near Belfast and dealing in it with the shopkeepers, and if you make me an absentee, I spend my money in Holywood or some other town, and injure Belfast thereby. I believe the people about Belfast contribute a very large sum to Belfast through the markets, these people coming in spend their money and make Belfast what it is, so that there are mutual advantages.

2313. Mr. Ross.—You don't think there should be an exceptional doctrine to have a man in the country to pay a rate in aid to enable the man in Belfast to have more valuable properties?—That is all being done away—that was the old turnpike road system.

2314. CHAIRMAN.—You don't say that the people who live at Strandtown make Belfast?—They come into the town every day.

2315. Do they use Belfast and should they not contribute something?—No; if they take a car they pay the carman, and if they get clothes they pay for them, and they enable the Belfast man to pay his taxes. You cannot bring anything into the town without paying tolls.

2316. Mr. Ross.—I believe there is a very large traffic coming through your roads into the town?—Yes.

2317. Do the Corporation contribute anything for your roads?—No.

2318. CHAIRMAN.—Take Crosswater-bridge, don't you think it is a great advantage to the people living on those two streets—Broad-street and Second-street—to have a light down to within twenty yards from the boundary?—I think where streets are built it is a great advantage to have light.

2319. Don't you think the owners there should contribute something towards lighting the approach down to their doors?—They pay a large sum for light, and any stranger coming into the town has all the advantages of the light as well.

2320. But here you have people living there who have all the advantages of the light?—There is no doubt when the Town Council got the gas works into their hands they pretended to lower the price, but they increased it considerably. They increased my burning power by about sixty per cent. I went down to the town office and they told me they were blowing it through. I tried my neighbours and they were all in the same position.

REMARKS.  
Oct. 28, 1895.  
William  
Armstrong.

2320. *Mr. Ross.*—About how long is it since you went out to Ryndaham?—I have been a long time there—about twenty years.

2321. How long is it since you built the house?—Ten years.

2322. That gives you a pretty good experience of what land is in the neighbourhood—there is Mr. Campbell on the one side, and Mr. Patterson on the other—what does good fair land let there for?—Before I built the house there, which is ten years ago, there were a great many inquiries for land there, and it was £10 an acre; then some let at £10 an acre, and some at £7, and when I wanted to get this land from Mr. Ansell the price was £10 then, but it is now let for £7, and there have been only two or three houses built since I went there.

2323. That is more than a fair rating?—Yes.

2324. What gives that value?—That is for the land and not for me. I am the tenant.

2325. Do you know the road passing from Inverary to the railway?—That is a private road tilled out a great many years ago, and it has never been made.

2326. Are there not a good many buildings upon it?—There are only two houses upon it.

2327. Is not it laid out as if for building?—It was laid out twenty years ago, and there is not a house built upon it for twenty years.

2328. You want to be free from the control of anyone?—We are under the control of the Board of Guardians, but we don't require them, and they don't interfere with us.

2329. And you don't wish them, and what you

wish is to be able to do what you like?—Yes, as long as it is right.

2330. *Mr. Ross.*—You want to be able to do what you like, but you have no objection to be governed by yourselves in your own district?—I think, as far as our district is concerned, we want no government.

2331. You say you are partly a farming district?—I say we are, and creating no nuisance whatever; it is the same as if you were twenty miles out of Belfast.

2332. But, as far as you know, they were willing to have a government of their own?—Yes, but I don't see why.

2333. *CHAIRMAN.*—The land out there is valuable for building ground, and supposing the taxation was placed half on the landlord and half on the tenant what would be your views?—I don't see why the Town Council should interfere at all.

2334. I am only putting it on the question of taxation?—Even the same, I would not wish to leave the Town Council at all.

2335. Suppose they were a Corporation of single would you like to have them, supposing the taxation was divided between the landlord and tenant?—If the taxes were not increased above what they are now I would have no objection, but even that guarantee would not compensate me for coming in under the present Town Council.

2336. I suppose we may take it for granted that, with very few exceptions, the general opinion is against annexation?—Yes.

John Moffat

JOHN MOFFAT, examined.

2337. *Mr. Ross.*—You live in Ballycloghan?—Yes.  
2338. You are Chairman of the Water Board?—I was privileged to be in the chair two years.

2339. You know the circumstances of Ballycloghan?—Yes.

2340. What is the character of that district?—It consists altogether of farms and houses, with half as much land as grass as a cow, and grown some vegetables, and they keep their houses in good order.

2341. And they don't require sanitary arrangements or watching in any way?—I have been there for six years, and I have never lost anything about the house, and there is scarcely a lock on one of the outside doors, and we are quite content if the Council would not take such interest in coming out to us.

2342. Would you not like to be watched or lighted?—We have no confidence in the Corporation at all. It is the opinion of the district that we would not be well attended to, and it would be like rebellion for years afterwards.

2343. *CHAIRMAN.*—What is the value of the land about there?—There is some of it let at £6, some £5, and some £7 an acre.

2344. Is that as town farms?—They have been purchased for the purpose of building residences for people to live in and let; but the houses have not let so fast as formerly, owing to the depreciation of trade, and a great many who have taken ground have found they have too much owing to the depreciation.

2345. Is it owing to its proximity to Belfast that the increased value arises?—Partly that; it is near a railway station.

2346. *Mr. Ross.*—Would you not like to be rated for the benefit of the town?—It would do harm, get up a bad feeling, and some of us might get little markets nearer hand, and quit the town altogether.

2347. There is a railway station there?—Yes.

2348. Is the tendency to raise the rent?—Yes.

2349. And would you not like to give a rate in aid to the Railway Works to increase the value of the land?—No.

2350. You attended a meeting on this subject?—Yes; I attended one or two meetings, and I attended

a meeting at Knock, and there was very great unanimity.

2351. What was the feeling of the meeting?—There could not be stronger feeling against annexation.

2352. *CHAIRMAN.*—On what grounds?—Because we are a class who live in Belfast, and less or more come into contact with the Town Council and the authorities, and we find it so unpleasant at times that we would rather not have anything to do with them, and if they come out here, we will certainly use the influence we have in the town to counteract it. We cannot say it of the entire body, but there are some officials connected with the township that we blame for the entire matter.

2353. If, to the occupying tenant, the taxes were reduced by being brought into the borough, would you still object, or if your landlord was made to pay the taxes?—If we came to arrange the taxes in that way I prefer another governing body.

2354. But suppose you cannot get it?—Then we will have to take it, and make the best hand of it we can.

2355. Don't you think that, for such a populous district as there is out there, it would be desirable you should be under some form of government?—If there was anything in the shape required, but all parties seem to feel it is not required. There are no complaints about drainage or anything else.

2356. Are you continuing your views to Knock and Ballycloghan?—Yes, and, as far as I am acquainted, with the entire district.

2357. Would you apply your observations also to Strandtown?—I have not so much knowledge of it. I know there is a very strong feeling in the entire district. If it was a good thing, Mr. Black ought to take part of it to himself, but he sits on high ground there, and, I think, he wants this part drained, at great expense, to keep himself dry. It is a very healthy place.

2358. *Mr. Brown.*—You reside in Ballycloghan?—I do.

2359. Did you buy a villa there or did you build one?—I bought one.

2350. How long ago?—Six years ago.

2351. What did you pay for the land?—I took a lease at something about £7 10s. an acre. I did not bargain for the land, but I bought the villa with the lease.

2352. Has not the land in your vicinity been let in a similar way, to your knowledge?—There is some land let since that at £7 an acre, on the other side of the road.

2353. How far are you from the railway?—A very short distance.

2354. And is not that portion of the country extensively dotted with villas?—I assume the Town Council did not put the railway station or the villas there, and I don't see why they should come out there to tax them.

2355. Are there not a great many villas there?—There are, a good many.

2356. Do you think every one of these people would be in rebellion against the Town Council?—I do.

2357. And do you think they would all run off to America?—No; I think if we could get on and pay the rent we would not, but after a while the houses would be empty.

2358. Were you a candidate for municipal honours?

—Yes, indeed I was, and it was fortunate I did not get in.

2359. If you had been elected councillor it would have been all right?—I don't know, but I would have made a great effort.

2360. Do you like this scheme of the united district?—It would stretch down to Greyhound?—I don't know much about that. I give evidence about my own district, about which I know something.

2371. Have you made any calculations as to the expense of taking care of this district, supposing it was necessary to form a united district?—No, but if they lay out the expense the Town Council require they would want very little outlay during the next twenty years. If they get jurisdiction over a place they can make any outlay they please, at the expense of the owners, and then collect any amount of taxes afterwards.

2372. Have you ever heard of an appeal from their decision if they made a bad order?—I am perfectly aware of that, and Mr. John McMillan appealed against a valuation, and for the purpose of the appeal they landed him as a radical and called me the same. The inquiry was then adjourned till next morning.

REMARKS  
Oct. 25, 1879.  
John Moffet.

## BELFAST—SIXTH DAY.—OCTOBER 21st, 1879.

WILLIAM SUGLAIN BOYD, examined.

Oct. 21, 1879

William S  
Boyd.

2373. Mr. Ross.—You have with your brothers a considerable interest in the district proposed as he takes in in the county Down side?—Yes, 250 acres, and of that we have given over our rights to a building company in sixty acres. They have the option, for a certain number of years of taking from us piece-meal any portion of that sixty acres; and their rights terminate at the end of the term of years for which the agreement was made.

2374. Is the portion that goes down to the Commissioners the portion that is let to the building company?—No; the building company have nothing to do with the portion immediately adjoining the Commissioners. A very small portion of that has been built upon by ourselves.

2375. And what was your object in building upon that small portion?—We considered the property was suitable for different purposes.

2376. That is, the entire 250 acres?—Yes, and some six years ago settlements were arrived at between the different parties concerned by which it was arranged if possible to build upon that property, and the settlement was that manufactures were to be prohibited entirely over the high-lying villa ground.

2377. That, as I understand, did not apply to the portion immediately adjoining the Commissioners?—There is no prohibition there. We then put the land on the market, and we endeavoured to let the high ground for villa purposes, and the low-lying ground for other purposes.

2378. What do you mean by other purposes?—Without restriction. We would lay it off for streets.

2379. You said you built some houses upon it—why did you do so?—When we found we could not let it, we thought we would force the market by building ourselves. One building brings another. We made the same attempt on the villa ground and the low-lying ground, and we have been successful in the villa ground in making about two lettings in the year, but we entirely failed to let the low-lying ground. I wish to make an explanation in reference to that. There were two concerns in which the members of our firm were shareholders and directors, and we made lettings to each of them. With that exception on the low-lying ground we have not let for any purpose.

2380. As I understand you the portion you were intending to lay off with streets has really at present been an unsuccessful venture, and the villa ground is going on as you have stated?—Of the portion we were

open to let with streets on the low-lying ground next the Commissioners, we have not let half a road, and there is not an outlay of £200 upon it, and the whole building speculation is under present circumstances going on slowly; but the land unrestricted to villas we have not been able to let at all, although we have made streets and sewers and did everything.

2381. Mr. Corry.—Is Greyhound the lower part?—It is a sixty-foot avenue, with streets on each side of it, in the villa ground, and we are letting there to a moderate extent—about two lettings per year on the average, and we are satisfied.

2382. Mr. Ross.—That is purely villa residences?—Yes; and we have put restrictions in the leases to make it so, and we won't let it without those restrictions.

2383. Under the present circumstances you have described the way the property is going on, assuming that the longough boundary is attended as proposed, what effect would that have on your property in your opinion, and give us reasons for your opinion?—Before I answer I wish to say you have not exaggerated what we are doing. There are three descriptions of property there. Between the Newtownards-road and the railway, there are 350 acres of agricultural ground, and there is not a building erected there within 100 years, except my own residence.

2384. That is the portion beyond the railway?—It is the portion bounded by the railway and Bear's Bridge, of which thirty acres are attached to Bloomfield House, and 120 acres to my own house. I said 100 years, and perhaps I would be right if I said 200.

2385. Is it to the south of the railway?—Yes.

2386. That is purely agricultural?—Yes, except perhaps a small fringe bordering on Bear's Bridge-road, which is intended for building-ground, but we have never had a proposal for letting.

2387. What would the effect be on the existing condition of the portion of that ground that has been considered to some extent building-ground if the borough was extended?—It is not a matter of opinion entirely with me—I have data for it. It would be prejudicial to a very great extent. It would deter building, and drive building to the outer zone, beyond this district, if it was taken in.

2388. That is beyond the proposed boundary?—Yes. 2389. Taking the increased charge what would be the effect of it on the land, and give your reasons for supposing there would be an increased charge?—I

REMARKS.  
Oct. 11, 1899.  
Witness S.  
Doyle.

would refer first to the fact that it would deter building and drive it out. I am not expending that merely because, I think it has intrinsically an injurious effect, but I find it so. When the public considers you have depreciated the value of an article it is depreciated whether you have done so or not. I made a letting two months before this Commission arrived here. But some time afterwards—I had a letter from the tenant saying she did not wish to proceed with the letting. I wrote to her requesting her to call at her convenience, and she did so. I did not wish to put any pressure on her to induce her to carry out her agreement, but for my own information, I wished to see why she was drawing back, and she told me she had been alarmed by this Commission, and that she would do nothing till November, when she could form an opinion as to whether the district was to be incorporated or not, and if it was she would go farther out, and wherever she feared the opinion that the other boundary would be she would go beyond it.

2395. CHAIRMAN.—Did she give any reason?—Yes.

2396. Mr. Ross.—Give her reasons, and state any reasons of your own?—The reason she gave was her experience of the borough control in the matter of extra charges for footpaths, sewerage, flagging, and so forth; and to that she added the tyrannical treatment she had received from Mr. Black—that she had received frequent notices that a writ would be issued if work was not paid for in two hours.

2397. Mr. Black.—That is simply an outrage.

2398. Witness.—I am not vouching for it, but the lady allowed me to give her name, to be called as a witness if necessary. My own reasons are that the land would be depreciated; and first as to the ordinary taxation I believe there would be an increase on our present rates. We are paying 1s. 10d. county cess. It was 2s. 6d. five years ago. It was brought down gradually to 1s. 10d., and I believe that if we continue as we are doing there will be further reductions.

2399. Why is that?—Three or four years ago there was a system of entering into contracts for roads. We entered into a contract for a larger quantity of stones than are believed to have been supplied, but that has been, I believe, set right now. A three-years' contract was in existence when this was discovered, and for the remainder of the term the greater quantity of the supplies went on the roads, and we do not require more than an average outlay on the county roads at the present moment.

2400. Are the Grand Jury desirous of giving you every facility to see that the work is properly done?—The Grand Jury and the officers here show the greatest disposition to give every facility, and the Grand Jury have issued an order to their officers to placard the district when they are going to measure stones, so that anyone can go and check the measurer.

2401. Therefore you have reason to believe that that rate won't exceed 1s. 10d?—I am inclined to hope it will be less.

2402. CHAIRMAN.—Have the Grand Jury kerbed the footpaths?—No; the footpaths are very good, but they are not kerbed.

2403. Mr. Ross.—They have good footpaths all along outside to that district?—Very suitable. As I understand the maximum rate would be 2s. 5d., when the district is not lighted and watched, and I will deal with it, supposing it to be so circumstanced. Mr. Montgomery made an estimate, which was laid on the table here, in which he proposed to lay out £3,100 on the lighting, watching, and keeping of the neighbourhood popularly called Sturminster. It is the proposed county Down extension leaving out the bridge and Lord Downshire's park. Mr. Montgomery's estimate is to be reduced, if we suppose the place is not lighted and watched, by about £1,600; and if you take the valuation at £18,000, that makes a rate of 2s. 5d. odd, and unless the Town Council are going to spend 7d. of their own funds upon us, they must raise the rate to 2s. 5d.; and I look forward to

see the rates raised within the borough approximating more to the maximum than at present. There is the outlay of £350,000 for new improvements, and there is an enormous outlay for sewerage. I see it estimated generally at £45,000, but I always find the estimate does not include something, and one-third of that should go on the town generally. I think they would require an instant increase in the present rate, much more than the maximum, and I think if they don't go more near the maximum they would make an actual loss on the district. Even in the case of its not being lighted and watched, it would be placed under very disadvantageous terms as to the taxation. I have no doubt it will be declared lighted and watched by the Corporation. In the first place they manufacture their own gas, and they would get very good returns, and think it their own interest to deal liberally, and even allowing them to be at a loss for the other purposes, that would cover six pence or seven pence, and that would enable them to have a profit.

2404. And, therefore, they would have a direct temptation to declare the district lighted and watched?—Yes.

2405. And what would be the effect of that?—I think a great deal is made of the question of appeal, but I would be very sorry to have to go to fight a legal like this. There must be some advantage with them; they have prices for a good even, and the individual is presumed to be merely objecting to pay, and I think it is a most difficult position. I would never attempt to appeal myself. The effect of it would be to put up the rates far beyond what they are now, and I look forward to approximating to the 5s. 5d., including the enormous outlay in the town.

2406. And having regard to the progress of building as depicted by you on your property then, I need hardly ask you to tell the Commissioners what the effect would be as regards your property?—That is not the only reason. There are other reasons which we might rather find greater, as to the special rates. I am more afraid of the special rates than of the 5s. 5d. maximum, and as applied to that district they would work a great injustice. We would have to contribute a quota share of one-third of the general rates entailed by this enormous sewerage scheme, and we could not get the slightest benefit except the outfall, and that we could not use. The Council have done their work within the last five years in a way which shows that they did not contemplate carrying it. They have ended the level of the district sewers at such a height that unless they pump our sewerage across the Comewater we could not use the outfall, so that we would be made to contribute to this enormous outlay, while a very trifling expenditure would give us an outfall, and their are terms at which we could have used their outfall on paying a capital contribution. It is the extraordinary more than the ordinary rates I am afraid of, and I confess I could not see the end of it. If the town is not able to do their own works. I am prepared to pay a rate in aid, but I object to be brought in to contribute to everything.

2407. CHAIRMAN.—It is a fact that for what are called metropolitan improvements over the whole metropolitan district in London, which runs about twenty-two miles, every man has to pay the very same contribution for what are called street improvements.

2408. Mr. Ross.—I believe it is understood that London is the only municipality in the United Kingdom where such a system prevails, and the principle has been completely thrown over in the case of Manchester, and in Glasgow again and again, and it was assumed in the case of Glasgow last year that the assent of the people of the districts of the union had been given, and it was not contested or denied for a moment that against the wish of the people there would have been no colour of a case for annexation. In every case the will of the people has been predominant, and even the Parliamentary Committee state in the strongest manner it is important to have the good will

of the inhabitants. (Counsel read extracts from the Committee's report.)

3404. CHAIRMAN.—There is no proposal there to have a large district completely without any system of government.

3405. Mr. Ross.—And we don't propose that if my contention is right. There every person that can be brought forward is opposed to extension.

3406. CHAIRMAN.—If that is to be the only test, what is the use of this Commission at all? Why should it not have been left to the vote of the people?

3407. Mr. Ross.—I hope as a result of your Commission you will establish one of the most beneficent things that ever was introduced into the country—that you will encourage local means of government. It is not the object of this Commission to facilitate the extension of large bodies like the Corporation of Belfast. It is your privilege and your duty to consider what is the best way of providing for the government of these outlying districts.

3408. CHAIRMAN.—There is nothing at all in our warrant to that effect.

3409. Mr. Ross.—With regard to the deterrent effect of this increase of the taxation, do you think the result of that in your own case would be injurious to your property?—I have not the slightest doubt of that, and I have given instances in which I have practically found it to be so in the short time the matter is under consideration, and I have heard of other instances on other people's property.

3410. Do you believe it is generally true, that it would have a general deterrent effect?—I never heard anybody express a different opinion except Mr. Black. I think Mr. Montgomery and everyone I ever spoke to admitted it.

3411. You took that property yourself under what were considered pretty onerous conditions as to rent and otherwise, with the intention of developing it as building ground?—I can't say we took it in that way. It came to us in a way we were forced into it. I obtained a great many thousand pounds for ordry in permanent improvements in agricultural holdings, and the value that would be allowed to us was the privilege of taking out building leases on the portions that were suitable, and we had no option. The terms were onerous in the building leases, but they left us some margin, and we were glad to avail ourselves of it as we had no option.

3412. You took it with reference to the then existing law and the then existing taxation of the district?—We took the liberty of converting our agricultural holdings into building holdings. We had it for thirty years before we had any building power.

3413. On the faith that the then existing circumstances would continue?—Every one at that time—six years ago—was of the same opinion. Mr. Montgomery's predecessor was strongly of that opinion at the time, and entered into an arrangement on our advice, and laid off that map proposed.

3414. CHAIRMAN.—The circumstances were altered by the Public Health Act of last year as to the taxes, and you deduct half the sanitary rate from your landlord?—We don't adopt that principle, which is universal in agricultural holdings, of the landlord paying half the poor rates. We adopt a new principle that the tenant pays all taxes except the Property Tax and Income Tax. That is our position, but it is not the position of Sir Thomas McCure.

3415. A poor rate of 1s. is struck, and he deducts from you one-half?—He can't—the lease contracts out of that. It is on real property. Income tax, as I am interested, is the only thing we can't contract ourselves out of.

3416. Mr. Ross.—There was a reference made to the advantage there would be to property that consisted of land, and the difference between houses and land in the amount of the taxes—having regard to the provisions as to the police rate, what effect would it have in your district?—Looking forward to the maximum being approximated to it would be about 7d. additional

and no benefit to the land whatever. It is no advantage to land not built upon to be lighted and watched.

3417. Of course it is your object to develop that tract of country more or less for the purpose of building—what effect would it have on building, when the moment they would build they would be liable to a higher rate?—I suppose we would not let as much land in three years as we do now in one. It is a more matter of estimate.

3418. I believe, as a matter of fact then, the value of land in that district is much less than the value of houses?—Very much less; it is something like £5,000 for land and about £15,000 for houses.

3419. CHAIRMAN.—As agricultural land what is it worth?—It is valued the same; they make no difference. They value it at 40s. or 50s. an acre, and they put on the additional value for the buildings.

3420. What would the 150 acres that you call purely agricultural ground be worth per acre, so close to Belfast?—It entirely depends on the purpose for which it is used. If it is merely required for tillage, it is to some extent depreciated. We have given up growing turnips ourselves, and some crops. It is only valuable by letting to dairymen, and so forth, and unless it is divided into small fields, and watered, they won't take it, and we have been trying to let in that way, and we have not been able to let more than ten acres a year for grazing, because the fields are too large and without water.

3421. What is it worth in the market as compared with the same quality of land situated in the same way seven or eight miles from town?—If it was suitable to dairymen who wanted seven or eight acres, and if it had water, it would be value for £4 or £5 an acre. If not it would only be valuable for tillage, and it is exactly the same value. To graze a man's own cattle three miles off as eight perhaps, and it depends entirely on the purpose for which it is suitable.

3422. As accommodation land is it not worth £4 or £5?—Yes, if it is divided into small fields, and is watered, and if it has not those advantages it is not accommodation land, and cannot get an increased rent. The land over there would not bring £4 an acre. It would be an absurd value for agricultural purposes.

3423. At the same time, if you had the same land four or five miles off, it was said, it would not be worth more than 30s., while nearer it would be worth £5?—With all respect to that gentleman I say I have been trying to let this as grazing land, and it is not a matter of opinion at all, but that is my experience.

3424. Mr. Ross.—I believe labour and all matters connected with land are dearer nearer town than further out?—Labour is probably dearer. There is great difficulty in getting any but old worn-out men. Young men are better paid for town work.

3425. You don't think, as a matter of fact, that the town has any right to claim a rate in aid in the country because the value of land in the immediate neighbourhood is higher?—I cannot see where it would end if it was carried out, for land twenty miles out is, to a small extent, more valuable, ten miles out still more valuable, and we cannot rate each according to the increase.

3426. And if you are entitled to take 3s. for the town you cannot stop there—you might as well take the other 17s. for imperial purposes?—That is out of my depth, and I am not able to follow it.

3427. With regard to what you have been doing on this property—that is, distinct from what the Corporation might be expected to do—state what you have expended, as a matter of fact, on the small portion of ground you have tried to bring into streets or village streets, taking the roads and sewers first?—Roads and sewers—my brothers and myself are in joint occupation.—we have expended about £500, and the building company has expended about £5,000 on their portion.

3428. You and your brother are directors?—We have separate interests; and I am a director.

3429. Practically, the people who have authority in

REMARKS.  
Oct. 21, 1879.  
William S.  
Reyn.

DEBATE  
OF 15, 17TH,  
AND  
WILKIN S.  
REPT.

that district have expended how much?—£22,500 on roads and sewers.

2430. Take the gas and water supply, what have you done with regard to them?—We have expended considerably over £2500 in providing water.

2431. What have you actually done, and what provision have you made for water?—There are a large number of wells sunk some by us and some by our tenants, and in some cases the wells were bored thirty or forty feet. There is a supply now very much in excess of what is required; and even to test the capability of the land for supplying water for manufacturing purposes we made a bore of over 150 feet, and we have obtained a result which has not been attained in Belfast—the water flows over the surface, and we could fill a mill dam if we had occasion to do so from that boring. At another point, where the railway passes over the property, there are some deep cuttings, and they have got some springs there in which there is a very large supply of water, and we have piped that down.

2432. How much is piped?—There are twelve or thirteen houses supplied from that, and I made a test of how much overflow there was, and it was about 15,000 gallons in the day.

2433. All purely spring water?—Perfectly pure spring water. We have Water Commissioners from Belfast who have come to equitable terms on one portion of our district. We have got our water supply on special terms, and we will be recouped the outlay on the mains hereafter.

2434. When did your operations commence?—About six years ago.

2435. And what have you expended in connection with buildings?—We ourselves expended over £5,000, and our own tenants have expended £3,000, that is tenants of villas on the villa ground, and the Bloomfield Company expended over £9,000, and their tenants expended else on £4,000.

2436. In the six years how much have you expended on three houses?—The total expenditure on our property has been between £24,000 and £25,000.

2437. Were these improvements carried out under the direction of a competent engineer?—The roads were all made under the charge of a competent engineer, and I specially attended to them, and I never selected a specification in any instance, and I never selected an estimate, and, I think, people will say that I was prepared to pay whatever expenditure he required.

2438. The building and sanitary arrangements and otherwise—how are they carried out?—We have at our own expense put main sewers and branch sewers to accommodate every building in that place, and of the present tenants there is only one who has not availed himself of it, and he uses a cesspool which was made previous to the branch sewer being made.

2439. It is hardly fair to ask you, but comparing that kind of work as done by you with the work done by the Corporation of a similar kind in Ballymacreagh, which do you think is superior?—The new work of the Corporation is done in a very superior manner, and their specification is rather higher than ours, but if you wish to compare our sewerage with that of Ballymacreagh I am prepared to say that ours is infinitely better. The main sewer of Ballymacreagh is a very fine piece of work, but the back streets are in a very bad state, and some of them without sewerage altogether, and one place where there was an expensive sewer made there was no water table, and the sewage line in the old water table which was there before, and there are several places in Ballymacreagh which could not be compared with our property at all.

2440. Have you any objection to see control vested in somebody directed by yourselves—control over building in the neighbourhood and in the adjoining district?—We have not the slightest objection to be controlled by any one, I am prepared to submit to any control such as has been sketched out by you.

2441. You took an active part in procuring township powers for the district?—I did.

2442. And why did you do so?—My first reason

was the evidence given in London, by Sir John Prouse, and Mr. Prouse, Mr. Magnus, Mr. Black, Mr. Hullett, and some others, showing the wish and the intention to extend out to that district, and I think it was time for us to move.

2443. That was your first reason for trying to get the township?—That was what drew my attention to the matter first, and granted with it was a movement in reference to the roads. There had been an association formed there to look after the roads, and the township matter was brought in under that association. I had other reasons besides.

2444. Give them?—As I understood the position at that time the Board of Generalists had not power in the Sanitary Authority to do sewerage work and assess it specially against the property benefited. They were obliged at that time (I am speaking of 1877), to assess it over a larger area of townlands, and the consequence was that if there was a small portion of a townland required sewerage, and the majority did not, the majority carried the day and blocked the way, and allowed no sewerage to be done, and I did not see how the difficulty was to be got over unless a township was formed and gradual sanitary powers got for it. Then it was a step towards getting sanitary authority by which we could deal with the matter by assessing the charge of sewerage and so forth on the district specially benefited.

2445. Mr. Curwen.—But if you had got the township you would not have been the sanitary authority?—As soon as the population was 6,000, and it was stepping towards it—that was only one of the reasons with the others mentioned.

2446. Mr. Ross.—Was there any other reason?—We did not wish to get the Town Council over us, and it was to keep the Town Council out.

2447. The Council interfered and prevented you getting the powers?—They actually interfered although it was not in their own name.

2448. I believe the Local Government Board allowed you powers, and they took active proceedings to express you?—I will not say they took proceedings but I may safely say they protected them.

2449. It seems to have been relied on here by some of the witnesses that the present low valuation in Belfast would be an advantage to the incorporated districts when the revaluation was made?—I could not but feel that it was the same to me, to pay 5s. in the £ on £50, or 1s. in the £ on £100. In a place like Donegal-street, they would have to pay higher than in a less favored district, but I do not think the whole community would be better or worse by it.

2450. I believe the outlying districts are now undervalued than the city. The principal valuation is from one-half to two-thirds the letting value of the outlying districts, and it is taken on the valuation of the county generally, and the new valuations are made to accord with the old, with the exception of Donegal-street and such places.

2451. CHAIRMAN.—That is not what was told us in other places?—I am in the habit of putting the letting value before a valuator, and he values it accordingly.

2452. Mr. Ross.—Your evidence is that as far as any advantage to the outlying districts from increased valuation is concerned the advantage is just as applicable as to the town?—I think it would be, and if you increase the value of portion of the Poor Law Union, without going over the whole of it, you make the portion which you increase bear more than its share of the poor rate, and unless you increase the value over the whole country you make it bear more than its share of income tax.

2453. CHAIRMAN.—It is said Belfast if revalued should be £750,000. I am prepared to say it would go beyond those figures, but it would have an equal effect outside. I can give the separate value of the villas recently erected, and there is not one valued at three-fourths the letting value on lease which is lower than under a tenancy at will.

2454. Suppose these were revalued you would be



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paying in 10d. on £40, instead of on £35 as at present?—Not if the whole barony is revalued. I don't object to be revalued with it, for I don't see how it affects me in the least.

2455. But in Belfast it won't be the same, and if it was revalued at £750,000, there must be a lessening of the taxes?—We will be increased along with it in the same proportion.

2456. Mr. Ross.—In lettings upon leases for forty years the tenants pay all taxes!—That is the rule. I do not think there is an instance in which the valuation comes to three-fourths of the letting value on lease, the tenant paying all charges.

2457. Mr. Montgomery says his principle in making these extensions would depend on whether they would be likely to be built upon, and whether they would pay!—The first object I think it would have, is the one I have mentioned before—it would drive people to the other side, and have an injurious effect on the town itself. The railway removes the inconvenience. It would have an injurious effect on the other side also, for although it would drive people out there it would make them select places they would not otherwise build upon, and force them to take places which were not naturally suitable.

2458. On the ground that the better sites were included in the more heavily taxed district?—On the ground that the borough had put out of the market for the time being the favourable sites, and compelled them to take more unfavourable sites to some extent.

2459. Assuming that these outlying districts were incorporated in Belfast, do you think the inhabitants of the districts ought to have the same confidence in the government of the Town Council in regard to taxation and sanitary matters as in a government of their own—a united district board of their own?—I do not think they should have, and I am quite certain they would not.

2460. Why?—I think the council as a body have devoted attention and spent their money upon portions of Belfast other than the county Down district. I think if we had had more of that personal interest on our side perhaps Ballymacarrett would not have been so long in such a state—that is my own feeling on the subject.

2461. Can you give an instance that indicates that in public matters associated with your own district?—I suppose you are alluding to what occurred with reference to the tramways. Mr. Black has stated here that the statement I made at the public meeting was untrue. I am prepared to support that statement.

2462. Will you explain in what respect you consider the interests of the company were damaged or postponed to other interests in Belfast?—The tramway were willing to make the county Down extension—they were unwilling to make the Lisburn and Crumlin extension, though, perhaps, quite a good work, and they proposed to do a certain thing; and along with that they were to make the county Down tramway. The Corporation granted them the privilege of sharing their lines and using steam provided they would also make the Lisburn and Crumlin line. [The witness read certain resolutions of the Town Council, and extracts from reports of the local newspapers of the day which it is not necessary to set forth.]

2463. You do not disavow you are interested in the district outside Belfast, but you insist on being interested by proper motives?—I never attempted to interest anyone in the Corporation, and I never misrepresented, coloured, or exaggerated in the slightest degree, and I defy Mr. Black to show where I did.

2464. Your case was that your place would be safer under its own direction?—Yes.

2465. CHAIRMAN.—What do you mean by its own direction?—Its own direction is what Mr. Ross has disavowed out—what we are coming to if we are let alone—we were willing to remain under the Guardians, for we were getting all we required as to sewerage only for the interference of the Harbour Commissioners

respecting the outfall. They can scarcely find fault with the Guardians for not having overcome in twelve months the difficulties as to the outfall.

2466. Do you think fighting would be desirable?—To a very infinitesimal extent at the present time.

2467. You said you hoped to have been made the Urban Sanitary Authority?—I did not say so.

2468. You said you would become the Sanitary Authority when the population reached 4,000?—But I did not say Urban Sanitary Authority, for I did not know about it.

2469. Mr. Ross.—You would be quite satisfied with the application of the Public Health Act to an united district?—As far as I know we are unanimous on that subject. I have never heard anyone express any other opinion.

2470. There was some reference to your draining the district into the Connawater, and thereby causing a nuisance. Tell the Commissioners exactly your position?—You are bringing me back to Mr. Black's evidence. Mr. Montgomery followed him and entirely did away with it. I listened to Mr. Montgomery's evidence, and I could not find the slightest fault with it. He said in reply to the Chairman as to the drainage of the Stranstown district into the Connawater, "I think there is very little sewage, and I am not prepared to say there is anything injurious to public health in that." On the first day Mr. Black was examined, and I was utterly amazed at the representations I heard about the Connawater. Mr. Black after describing it said he passed it six days in the week twice a day. He described the sewage as being discharged into a monster cesspool, but the fact is Mr. Black had missed the sewage altogether. It is about 100 feet north of what he calls the cesspool; that cesspool is from a water-tank put there to intercept the drainage from the high district and some springs. There was some of the yard drainage attempted to be diverted into that, but the main drainage now taking everything was discharged 160 feet north of that which Mr. Black missed altogether. The Connawater itself is not in a most satisfactory state, but that is not in consequence of any sewage from us—it is from the backwash of the Lagan. It is only within the last three years any sewage from our side went into it, but the deposit from the Lagan was there twenty-five years ago. My father had it cleared out to expose the land, and it is not less now for we reclaimed a strip at the mouth of the river, and increased the wash by narrowing the mouth of the river.

2471. You say the nuisance is caused by the Corporation themselves?—If you purified the Lagan you would have a pure Connawater.

2472. Was that nuisance there before you introduced your sewage?—Our sewage was only introduced three years ago, and we spent £200 or £300 on reclaiming a strip of the border and narrowing the river. Nothing we have been doing as to sewerage has to be undone. All the engineers agree that our natural outfall is into the Connawater, we have brought it to that point and that is the point to which the Corporation or any one else would have brought it. The proper time to carry off our sewage is when the Connawater is purified.

2473. CHAIRMAN.—What right have you to pollute the Connawater or to put a drop of sewage into it?—We do not make it worse than it was before.

2474. Mr. Ross.—Where is the whole drainage of Ballymacarrett discharged?—It goes into the Lagan at the most important business part of the town. If the guardians had taken steps to sewer that district they could have equitably rated the expense on the portion that required it. It was only last year they got power, and they set about it and there has been litigation about the outfall. Twelve months is not such a protracted time to arrange such an important matter.

2475. You are willing to discharge your duties to that locality in every way?—Yes and as soon as the outfall is settled, everything will be satisfactory.

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2476. Is the feeling in the neighbourhood universally against being incorporated?—I knew of one person who was not prepared to come forward and oppose extension, but I think your scheme has met his opposition. I do not know one now who is not prepared to support your scheme, and in case it cannot be carried out I am satisfied the guardians will do their duty, and I ask you to give them time.

2477. You believe that if you fail in this the guardians will do whatever is necessary to have alleged nuisances removed?—I think the way they have met us recently is enough to encourage us.

2478. You were at the meeting of the district that petitioned against this incorporation?—I was.

2479. Has the memorial been numerously signed?—Very.

2480. Mr. Andrews.—As I understand it is within the last five or six years you have been endeavouring to develop this building ground?—A legal difficulty stood in the way and it was arranged in 1873.

2481. Has that not been a period of unusual commercial depression?—It has.

2482. And would that account to any extent for your ground not coming on as quickly as you expected?—To some extent.

2483. And you are aware that notwithstanding that, building has progressed in Ballymacarrett within the borough?—I am aware for special reasons.

2484. Since 1875 Ballymacarrett has increased in valuation by £7,559, and as there has been no revaluation that must arise from buildings and improvements?—As you ask about that I suppose I am to be allowed to say why I think there have been unusual circumstances there. It was in a most abominably filthy state—the main road and everywhere—the council have expended some money on it, and building that would naturally have been done twenty or thirty years ago, sprung up; old buildings that should have been taken down then, were taken down now and about two-thirds of the improvements were rated against the old property which was not worth it.

2485. And their action has stimulated improvements while you immediately outside cannot let your property?—I don't say we cannot. We can slowly for villa purposes but not for the other.

2486. Just over the Connawater is there not a new street built since you began?—I described that.

2487. I mean off your ground and within the borough?—I don't know.

2488. Leading down to the gas works?—It is within the borough.

2489. There is a new street actually built there, while crossing over the river you find difficulty in letting building ground?—There was a considerable portion of Lord Templemore's property which for some change in the law, was put into the market and they have done what we have done to encourage building.

2490. And they succeeded?—There is one row of houses.

2491. With reference to the lady who changed her mind—which was not singular in a lady—was not that shortly after you made a speech against incorporation at the meeting?—It was I should say about May, in this year.

2492. Don't you recollect the meeting?—No the only meeting this year at which I was present, was in July.

2493. At that meeting you said that no one knew how soon the tax would be up to 5s. 4d. in the pound, and that you were perfectly satisfied they (the people), would have no voice in the matter?—Yes.

2494. That would not be likely to tempt a lady or anybody else to take ground?—I stated what I believed, and it is the same as my evidence to-day.

2495. At present you drain into the Connawater?—Yes.

2496. And you have no other scheme to carry off the drainage, when you build over the ground you hope to let?—We have a main sewer. We look to the public authority that will come in if there is a

united district, and if it is not formed into a united district, we will look to the guardians to carry the sewage out beyond our property.

2497. Don't you think it would be an advantage to have the main drainage scheme done under one supervision?—Ours is done.

2498. You discharge into the Connawater?—As far as our property goes it is completed, and I hope it won't be useless for it is efficient.

2499. But you must get an outfall?—It is not required for anything existing at present but for the future.

2500. Do you think it would be of advantage to have a general scheme carried out under one supervision?—I think it has been admitted that the average of the Ballymacarrett district should be essentially different, and cannot be grafted on that of Belfast. I cannot therefore, see any objection to the sanitary authority whether it is the guardians or anyone else to that county Down district completing their own sanitary scheme.

2501. But are you not doing what the Corporation has been endeavouring to avoid—putting sewage into the Connawater?—They have preferred to put it into the Lagan instead of the Connawater. We have brought it to the Connawater, and we expect the guardians to carry it on.

2502. You know when you get a united district you will require a staff and there will be some expense?—Yes.

2503. The county cess won't suffice for that?—It is expended already?—I suppose it would not, but if the united district ever had charge of the roads which has not been proposed I think we could effect a saving on the county cess. I understand the county cess would continue, and it would be supplemented.

2504. Have you formed any estimate of what your additional expenses would be under Mr. Ross's scheme?—I consider it would be a very small matter.

2505. Have you entered into the question?—I think a few pence in the pound.

2506. Have you entered into any calculation what your expenditure would be, and what the valuation would come to?—I have seen calculations made by professional men, but I have not gone into it myself.

2507. I suppose it is undetermined as to extent, and as to expenditure, it is not set out?—It is quite in embryo.

2508. How has it happened that the idea of the united district never started until the beginning of this month?—It was not thought of at the first time, as I understand the Act was only twelve months in existence that enabled it to be so. The district had attempted to form itself into a township, and I think the failure had rather disorganised us, and until they were frightened by your appearing here they did not move again.

2509. CHAIRMAN.—Mr. Andrews asked you about the building that is going on close to the Connawater Bridge, which you said was on some portion of Lord Templemore's property. Are the houses there valued under £30?—I think they are valued under £5.

2510. If they are valued under £30, they pay only one-half in the borough, yet building is going on there, and you cannot push on the building of similar houses on your property?—I don't acknowledge that; it does not follow that if you extend the borough you extend the demand for land.

2511. You described the condition of the Ballymacarrett district as having been very bad?—And is being very bad.

2512. Do you consider that the improvement of Ballymacarrett would improve the value of your property?—If it was done I think it would.

2513. Then do you think that your building ground should be made more valuable at the expense of the people of Belfast, and that you should pay none of it yourself?—I don't think I should pay more of it than the man four miles further on as that land will be increased in value too.

2514. Take it to the extent to which the outlying district will be improved, do you think that to that extent the owners and occupiers should pay anything towards the improvement of Ballymacarrett?—I think not, because I think even if it was desirable it would be impossible to carry out such a theory, and have remuneration as to what was benefited and what not.

2515. What would you say as to differential rating?—Differential rating would meet the case so far as the ordinary rates are concerned, but there are special rates. I find in last year's Act the equity of the principle is admitted that where property is already charged there should be a rebate on the contribution made and that rebate is now in the discretion of the Town Council and I have no confidence in them. All we can ever count on from the Corporation is an outfall, and all we should contribute is an equitable contribution for that outfall, but we should not be brought on to contribute to half a million for drainage. I find it means that the county Down side should pay 24 per cent. of that enormous outlay—one year's purchase of the entire property in the place.

2516. Take that 150 acres of agricultural land—suppose it was brought within the borough, and you paid nothing at all for police rate, and that for the other rates you were put on a differential scale of only one-half?—If we paid no police rate and paid on a differential scale for general purposes rate, and as far as the mere ordinary rates were concerned it would be no injury to the value of our land, but we would have this enormous unlimited outlay for sanitary works hanging over us, and we would have the control of our property taken out of our hands, and in that way that would injure us by forcing building past us.

2517. As you took an interest in the proposition to form the township, did you calculate what tax would be on you under the Towns Improvement Act?—We had a small limit—it would be something very small. What set us in motion was the evidence given by the Town Council in London, and even if it comes to a few pence more in the £ we were willing to pay it for the township.

2518. You wanted some form of government, and the only form that was open to you was to form a township under the Towns Improvement Act, and that necessitated a rate the maximum of which was 1s.—That is, was on buildings only, and we are dealing with land only.

2519. The ground occupied by these buildings would have to pay 1s.—It is arable land still. When we let an acre it is out off from the rest of the property. With the exception of the small fringe of the Conservator, the entire district is a villa district, and small houses are excluded by lease, and we ourselves put a limit of £30 valuation on some, and £25 on others. We are so much bound to Belfast as Belfast to us. Most of us have large places in Belfast in which we pay heavy taxes, and I do not wish to see the property put into the hands of people in whom I have no confidence. If they admit they are unable to carry out these works without ruining Belfast I suppose these people outside would not object to a rate in aid.

2520. Mr. Ross.—You were asked by Mr. Andrews had it not been a depressed time, and that notwithstanding that there had been a great deal of building going on in Ballymacarrett; isn't it a fact that building has been going on rapidly in all the districts about Belfast, notwithstanding the depression?—I understand it is rapid as compared with other towns, and as far as I can ascertain depression in trade has not retarded to a great extent the building in Belfast—that is, building of lower-class houses, than those built on the villa ground—but it certainly has retarded the building of villa residences. The poorer population is always increasing, and you must have building going on in the bad times.

2521. I believe all the houses on your place are villa residences of the better class?—Any other is prohibited, almost entirely.

2522. Has Lord Templemore been giving lease lately?—It seems to have passed out of his hands altogether, and into the hands of those who have situated building. There has been no account published, and I have never seen the original outlay on Ballymacarrett except this £6,050, of which they got back two-thirds from the rates of Ballymacarrett.

2523. Mr. Andrews, q.c.—The total expenditure in Ballymacarrett is about £10,000.

2524. Mr. Black.—Of which we have got back, or are likely to get back, £13,000.

2525. Mr. Ross.—With regard to the supposed benefit you are deriving from the improvement of Ballymacarrett, have you expended a lot of money on your property outside the boundary?—Yes.

2526. You do not consider that because that improves the neighbouring property of Ballymacarrett you ought to get a rate in aid from Ballymacarrett?—I only admit it could only be *in forma pauperis* we could claim anything, and I don't want to appear in that form at all.

2527. Can you tell the Commissioners anything about the health of the district?—I think it is admittedly healthy. It has the name of being a particularly salubrious district, and I think the official returns, as far as they show a separated death-rate, confirm that.

2528. Mr. Andrews, q.c.—Mr. Boyd seems to think the Corporation are disposed to postpone the interests of the county Down in this matter of tramways. I would be very dissatisfied if that was the case!

Mr. Black.—It is not the case. The statement of Mr. Boyd to which I referred as being untrue was that company asked nothing from the Belfast Corporation except to pass over the streets leading to that district. The fact was the company did not want to make any extension at all, but they wished to alter the gauge of their line, and to get power to substitute mechanical for horse power on their line. They have put forward a certain bogus scheme of extension, but the Corporation refused giving any concession until they would make the extension to the county Down with others.

2529. So that they rather promoted the extension to the county Down than retarded it?—It was a kind of coercion to compel them to make the county Down extension, as well as others, before they got any concession whatever.

2530. Mr. Ross.—Have you any resolution of the Council that they should extend their system to the county Down?—If you look to the Act of Parliament it speaks for itself.

2531. Mr. Ross.—Did Mr. McCabe appear before your committee?—He did.

2532. Mr. Ross.—Did he propose to get authority for a new tramway (No. 5) crossing at Conservator Bridge?—He did, with a narrow gauge, and that only complied with the alteration of the existing gauge.

2533. Mr. Ross.—Did you ever grant a narrow gauge?—The Act of Parliament authorises it.

2534. Mr. Ross.—Therefore it was not an improper thing?—It would have been unless all the other lines were made of the same gauge.

2535. Mr. Ross.—Was it as a matter of fact an improper thing to seek a narrow gauge?—It was in this case.

2536. Mr. Ross.—It is an improper thing to have a narrow gauge in Belfast?—It is, if their other lines are not on the same gauge.

2537. Mr. Corcoran.—The Legislature compel them to have all the lines uniform.

2538. Mr. Ross.—What was proposed was to change the gauge and to make certain new tramways, and the company were told they would not be allowed to do that unless they extended their line to non-paying districts.

2539. Mr. Boyd.—The Corporation said, we won't

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allow you to narrow the gauge, or do anything, unless you extend to Cranlin and Lichens-roads.

2540. Mr. Black.—No; the company would have had full power to make a line on the broad gauge.

2541. Mr. Ross.—You refused permission to extend to the Down side unless they extended to non-paying

districts?—No; but we insisted on having the whole line on one gauge.

2542. I am instructed they had no power whatever to go to the Cornswater on the broad gauge.

Mr. Black.—No; I only said part of the way.

WILLIAM  
PURDON.

WILLIAM PURDON, examined.

2543. Mr. Ross.—You are a civil engineer?—I am.  
2544. And you are district engineer of the Great Northern Railway Company?—I am.

2545. I believe it was under your direction these buildings and improvements were made on the Bloomsfield property?—All the streets and roads.

2546. Explain how these streets and roads were made?—They were thoroughly made in the usual way.

2547. Are there pipes laid down?—Yes; in all the streets we have built, or intended to build on, there is a channel and the channels are connected with the sewers.

2548. Are there any pipes in the sewers?—There are stoneware pipes, and the main drain is a 30-inch sewer.

2549. Is it put down in a proper, workmanlike manner?—Yes.

2550. Have openings been left in the pipes for house connections?—Yes.

2551. In every pipe?—Yes; the water channels are connected with the traps and pipes to the sewer, and as a new house is built they make a sewer into the sewer already there.

2552. Mr. Boyd.—The branch is freeby, the main is brick, and we have made connections with the main sewer, and the tenants only connect with the branch sewer. We make junctions everywhere that we think necessary. We don't let anyone do it but ourselves.

2553. Mr. Ross.—Do you know this pool at Cornswater?—Yes; it was to catch the drainage from the upper lands, and utilize it for manufacturing purposes.

2554. That is surface drainage, not sewage?—No.

2555. It was for manufacturing purposes?—Yes.

2556. For a short time it was necessary to intro-

duce some sewage?—Yes; the drainage of a few yards in First-street and Second-street, till their sewage was completed.

2557. But while it was introduced there, could it be described as a cesspool?—No; it was only a temporary arrangement.

2558. Is there an overflow of the reservoir into the Cornswater?—Yes, a slight one.

2559. It can be run dry?—Yes.

2560. What is the nature of the tidal rise at the Cornswater beside this sewer?—The tidal rise is about eight or nine feet.

2561. There has been some complaint of something in the nature of a nuisance or of a bad smell—what is that owing to?—That is owing to the sewage brought up by the tide and deposited on the banks.

2562. Is that to any extent caused by the sewage?—No.

2563. Was it there before the sewerage?—Yes.

2564. Your sewerage is not really the cause of the bad smell?—No.

2565. CHAIRMAN.—Mr. Young said there was a smell.

2566. Mr. Ross.—We recognize it, and we endeavour to place the saddle on the right horse.

2567. Mr. Boyd.—When was that sewer completed and disused into the pool?—In the early part of the year.

2568. Tell that, was there any sewage discharged into this place?—Yes; the drainage of the houses, but not any cesspool.

2569. Mr. Ross.—Could this be in any way described as a cesspool?—It could not.

THOMAS  
QUINN.

THOMAS QUINN, examined.

2570. Mr. Ross.—You carried out the making of these cesspits on Messrs. Boyd's property?—Yes.

2571. Are they thoroughly well made?—Yes, very well made.

2572. Do you know anything about the way the sewers are made in Ballymacarrett?—Yes.

2573. Comparing the modes of making the sewers, are they as efficient in Ballymacarrett?—Yes, about the same thing; they are about the same specification.

2574. Do you know anything about the condition of Ballymacarrett at present?—I do.

2575. And what do you think of the sanitary condition of the place?—Some parts of it are very bad. There are open sewers that drain into ditches, and after running thirty or forty yards go down into the fields, and there are heaps of nuisances there fifty or sixty yards long.

2576. On the roads; the houses are not closed where the nuisances are?—It is where the houses are occupied at present, and they have no intention of closing them up.

2577. You don't think it exhibits very efficient sanitary government?—Ballymacarrett is very bad in proportion to the rest of the town.

2578. And bad in proportion to the ordinary districts?—Yes. Stranstown is infinitely superior to anything about Ballymacarrett.

2579. CHAIRMAN.—Do you think it would improve Stranstown if Ballymacarrett was improved?—It is not very pleasant to drive through Ballymacarrett. People drive round by Mount Fortinger to avoid Ballymacarrett.

2580. Mr. Andrews.—You mentioned that the sewers were about the same as the Corporation sewers, but the roads not?—No.

2581. They are much better?—The Corporation roads are much better, that is, what they make the owners of property do, but the roads they have in their own possession are not equal to the Corporation roads.

2582. That is, their own roads are not as good as what they make the owners of property do.

JOHN MAGUIR.

JOHN MAGUIR, examined.

2583. Mr. Ross.—You are a poor law guardian?—Yes.

2584. I believe you represent the district proposed to be taken in by the Corporation on the county Down side?—Yes.

2585. And you know the sanitary wants of the locality?—I do.

2586. Where there is really any serious sanitary want is that not always represented to the Sanitary Authority, the Board of Guardians?—Yes. The

doctor, the Sanitary Authority, reports nuisances, and the question of abating them is considered, and the guardians invariably make orders for it to be done.

2466. How that occurred in numbers of cases?—Yes, in numbers of cases.

2467. And in every case are the guardians ready and willing to remove it?—Yes, decidedly most anxious.

2468. With regard to the action of the guardians, was it you who moved the resolution?—It was.

2469. Are the guardians, so far as you know, willing if necessary to restrict the district to be united to this district proposed to be brought in. The resolution you moved makes the portions of the unions in the county Down, outside Ballymacarrett, liable to be made into a district, and if it was necessary would the guardians lessen that district and make it smaller?—I don't think there would be any objection.

2470. Is there usually a wish to promote what is the desire of the inhabitants, and to attend to their real sanitary wants?—Yes, and to lessen their own labour.

2471. Are not they of opinion that these duties in such a district as that could be best carried out, if possible, by each a board as a united district board?—That is their opinion.

2472. But if that could not be done by reason of the law is it your opinion that the guardians would do everything as far as they have power?—As far as they are concerned they are most anxious.

2473. CHAIRMAN.—That is, I suppose, when the executive sanitary officer reports a nuisance you give an order for the removal of it?—Yes.

2474. Was the Conservator ever reported as a nuisance?—It is a public nuisance, but it is like the Blackstaff, we can't remedy it.

2475. How long has it been a public nuisance?—Since ever I remember.

2476. Then it has continued since 1874, and was it ever reported that a sewer had been made into it from Mr. Boyd's property, and that the sewage of fifty houses was carried into it?—That was a very recent affair.

2477. I understand it was done three years ago?—Yes, about that.

2478. Was it ever reported that that sewer was made?—I don't think the sanitary officer ever detected the nuisance at all. There are other nuisances contributed besides Mr. Boyd's.

2479. Did the guardians ever take steps to prevent this, which you say is a public nuisance?—I think not because their attention has not been called to it.

2480. Mr. Ross.—Are you not obliged to drain the entire of the poorhouses into the Logan?—I don't know, but I believe it is so.

2481. Mr. CORRY.—How are you obliged to do it?—We have no other means.

2482. Mr. Ross.—The Town Council do it, for they have no outlet.

2483. CHAIRMAN.—They ought to be indicted themselves. They should have the courage to do what is done in large towns in England. The Blackstaff would not be tolerated there for a minute.

2484. Mr. Ross.—It is the government of this Corporation that we object to.

2485. Mr. CORRY.—It was stated that the Board of Guardians refused to make any bye-laws, could you tell us the reasons?—There was a proposition by a member of the Council that we should compel parties building houses in rural districts, to come under some sanitary law—the Guardians never refused to put that in force at all.

2486. What was refused?—As far as I remember the Board were quite prepared to carry out every portion of the sanitary law.

2487. CHAIRMAN.—The sanitary law is in force for twelve months, have they done anything?—We have supplied the village of Stranstown with water.

2488. Have you passed a single bye-law since the Act of 1878, for the regulation of house building, of

slaughter-houses, or of lodging-houses?—I believe it was in the hands of the Local Government Board.

2489. The Local Government Board is not to make bye-laws?—We wanted instructions from them. They have taken steps to abate nuisances by introducing a new sewerage scheme at Sydenham, where the nuisance existed.

2490. Where is it going to?—It ought to be into low water, and be discharged out at sea; but what is wanted in that neighbourhood is an intercepting sewer to catch Mr. Boyd's sewer, and all that sewerage from the high land, and run it out to low water and out to sea.

2491. That in your opinion is the natural drainage for that district of the country?—Yes, and it was the only thing that could be done to make a proper sanitary arrangement. It would take all the sewerage matter from Bloomfield and carry it out to sea, and make all the parties contributing to that being done pay for it.

2492. That is to leave the people on that side of the river to do their own drainage.

2493. Could that be made available for Ballymacarrett?—No. It is on the other side of the water altogether.

2494. Mr. Ross.—At the meeting of July 22, Dr. Coney said, according to the statement of the inspector, they would soon have got details from head quarters, and in all probability those would differ very materially from the code of the sub-committee they were about to appoint—does that account for the non-action?—We were quite willing to carry out the Sanitary Act as far as in our power.

2495. You thought the Local Government Board could form a township?—Yes.

2496. What was the reason?—To prevent the Town Council taking us in.

2497. Is there a very strong objection there to the Town Council?—Yes.

2498. CHAIRMAN.—Do you think there should be any board of management for that district?—I do.

2499. What board?—A distinct board under the sanitary laws.

2500. But if that could not be done?—Then the best thing would be to make the guardians do it.

2501. Suppose the guardians have no power?—The Act must be very lame if the Guardians have not the power to do any sanitary works required.

2502. They have not power to give you light?—And we don't want light.

2503. Mr. Ross.—You think it more reasonable that a slight change should be made in the Act, than that all the people there should be forced into Belfast against their will?—I do. We don't want light—we don't require very much light. We are not like a town blocked up with smoke. We have the stars and the moon, and if we want to go out we have nice heady little breezes to take with us.

2504. What was done about the water in Stranstown?—There are two rows of houses in Stranstown, one bordering on the main road, and the other in a back street, and they complained of not having water. It was brought before the Guardians, and they instructed Mr. Saffern and myself to get a proper supply of water, which we did, and it is very superior.

2505. Where did you get it?—It was a well sunk by Dr. Ritchie, on the property before there were many houses on it, and we took advantage of this, and we could supply four times the number of inhabitants.

2506. Is it good water?—The very best wholesome water. The well is sunk fifty feet deep.

2507. How was that expense met?—The Local Government Board instructed the engineer of the Poor Law Board and myself, to assess the expense on the parties benefited by it, and we have since done to the amount of £40, and we did not ask the people of any other place to pay for it.

2508. You don't want any contribution from Belfast for that?—No.

BELFAST  
Oct. 21, 1879.  
John Kegan.

REMARKS  
Oct. 22, 1879.  
John Mayes.

2639. And you don't want to contribute to their arrangements?—No.

2640. CHAIRMAN.—Suppose the taxes were reduced?—It is not so much fear of taxation as the promoting of an extensive system of sewerage. It would be a very serious matter for the people there. It would cost a very large sum, portion of which should be levied off the people having property there; and the making of streets and other things, under the surveyorship of our town engineer—his specifications are very extravagant, for the houses here are not like those in streets, they are simply villa houses, and it would be a very serious matter.

2651. Mr. Ross.—Do you know what are the provisions as to the watching of the district?—The whole district is watched by the police.

2652. How many?—I believe there are six policemen.

2653. How many police would you be entitled to?—I believe we would be entitled to more if a new census was taken. I believe we have nothing like one in 500.

2654. Are you efficiently watched?—No offence is committed. It is a peaceable district, and all we want is to be left alone.

2655. And unless you be urged to rebellion by the Corporation wishing to take you in, you are perfectly peaceable?—Yes. And it is as well kept as Belfast where there is both watching and lighting.

2656. Mr. Ross.—You said Mr. Montgomery's estimates were all right for a town, but they were extravagant for a country district?—I say so.

2657. I suppose you form that opinion from the fact that Mr. Montgomery's estimates are estimates for work done in the town?—His specifications are principally for town streets.

2658. Did it ever occur to you that Mr. Montgomery might be a reasonable man who could form a specification for a country road?—I have no doubt Mr. Montgomery would do what is just and proper, but Mr. Montgomery may not be here always. I have great respect for him; he is a civil and obliging officer, who will do nothing that is wrong. I am only acting on the principle; we don't want expensive streets made there at present, for they are not required; the country do their duty very well. One reason I was anxious to have a board established in that district, was to have a check upon the county works. There was a committee formed of a number of gentlemen there, and they did a great deal of good by causing the contractors to do their duty, and put on the quantity of stones specified by the county officers, which was not done before to my idea, so that if a standing committee was appointed to have a general surveillance over the whole district, making the county officers do their duty in keeping up the roads and other affairs in proper order there would be very good results. The officers have done their duty since we took the matter up, but it has cost us a good deal of money, and we believe there should be a small rate struck. It has cost us several hundred pounds to pay an engineer, and all that, and that was one of the reasons we wanted a standing committee to be appointed.

2659. You don't want to create a great township outside Belfast?—No; we only want to do what is necessary, and one of the things is to see that the county cess is laid out properly.

2660. You want to provide for your wants, and to let your little community grow up naturally?—Yes.

2661. Who prepared the resolution passed by the guardians as to united districts?—Mr. Boyd and I, did it originally.

2662. Then it was prepared by you?—Mr. Boyd prepared it, and I revised it.

2663. What do you mean by the rural districts of the county Down?—I mean all the districts outside Holywood and Ballymacraut.

2664. How far does that carry you?—It goes round by Drumahilly, and joins the Holywood boundary.

2665. Doesn't it go beyond Holywood?—I think it does. I cannot tell you the boundaries.

2666. Do you mean you framed this resolution without considering the district it comprised?—All the portions of the union in the county Down side, I proposed to take in.

2667. Can you tell what the boundaries are? Did you, before framing the resolution, consider what was the district you wanted to form into a united district?—I have a general knowledge of the district, I can point it out on the map.

2668. Is it the whole of the county Down district?—Yes.

2669. Is it a very large district?—It is.

2670. Did you consider the wants of the inhabitants before you proposed to form them into one board with one governing body?—We never had the slightest idea of interfering with them.

2671. Don't you propose to interfere where you proposed to create a district?—Yes.

2672. Did you consider anything about the nature of the body that was to govern that?—Yes; it was appointed by Act of Parliament; the six office guardians and the joint board, and they could add representatives from any outlying district.

2673. Your idea was that the district could be governed by the Board, and those members from the outlying districts?—I could not say as to that, but it was in the Act of Parliament.

2674. You did not form an idea what it was to be?—It is specified in the Act of Parliament. My idea was it should be formed into a district board, composed of six office and elected guardians from the different districts.

2675. Did you consider at all what was to be done by this Board?—It was to carry out the Sanitary Acts as far as necessary, and levy a small rate for that purpose.

2676. You mean to levy what was necessary?—We would only do what was necessary, not entering into any general schemes of large expenditure.

2677. Have you formed any idea of the expenses of this Board?—Absolutely I considered that.

2678. What staff would you require?—An engineer occasionally, and perhaps a paid secretary at a small salary, which a 2d. or 3d. rate would meet.

2679. What sanitary staff would you have?—We would require a sanitary officer.

2680. You should have an executive and a consulting sanitary officer?—One is quite enough. We have others, and they don't work.

2681. Have you formed any idea of the aggregate amount of their salaries?—No; but I know the neighbourhood was willing and ready to pay for the work.

2682. Mr. Ross.—And you had confidence that the Local Government Board after inquiry would not properly the powers of this Board?—Undoubtedly.

2683. CHAIRMAN.—Do you think it right that the land at Bangor should pay the same as at the Carrwater?—Certainly not, because that very Act provides that it is only those who are really benefited as to be taxed.

2684. Mr. CORNELL.—If you have a united district you cannot have sub-districts?—No. We have special work for special districts, and make the people in that district pay for it in the same way as we make the people in Stranmillis pay for the pump.

2685. Mr. Ross.—Mr. Dinneen, who has been employed as solicitor in this matter, is also largely interested in the property as a ratepayer in the district, but I do not think it would be necessary to decide you with what he has to say on the subject. He opposes the extension most strongly on the grounds which the witnesses have already stated.

2686. Mr. O'Rourke, Solicitor.—I appear for the people of Ballydoonagh and Knock.

2687. CHAIRMAN.—Are they exclusively what are called gentleman farmers?

Mr. O'Rourke.—Not gentleman farmers, but real farmers, having small demesnes (where they are not

actually farmers) attached to their dwelling-houses. Some hold from year to year, some on leases for twenty-one years, and others for longer terms. (Revisé memorial from Knock district.) (See Appendix No. 7.) That is signed by the chairman and nearly all the people living in the district. There are not many residents in it. I desire to hand in a similar memorial from Ballycoughan showing we have very distinct and separate grounds for objecting to extension. (See Appendix No. 8.) They propose to take 584 acres, but not the entire of Ballycoughan. The population of that place is 650.

2698. CHAIRMAN.—Have you considered the question of bringing in the land at a differential scale, and having the rate divided between the landlord and tenant?

Mr. O'Rourke.—No, because we don't think we should be included at all within the borough. For we lie at too remote a distance to be brought in under any circumstances. These two townlands are absolutely almost entirely agricultural. I don't know whether you know their situation or not. They are very hilly and undulating, with nice hills, dells, and valleys. There is a stream of water between the two townlands, just beside the Knock station. The station is not in Knock, but in Ballycoughan. It is called Knock, but Knock lies to the right, up towards Caslough Hill. It is not all likely to become a poplarly built-upon district. It is likely at the most to be merely selected as a place for building nice villa residences, with from five to ten or fifteen acres of land, according to the taste of the individual. These lands of Ballycoughan and Knock are peculiarly adapted for supplying all kinds of early vegetables for market purposes. It is also admirably situated for dairy purposes—the sending in of fresh milk twice a day, and butter as often as wanted, as well as eggs and poultry, and all those things that contribute so much to the convenience of a great city like Belfast.

2699. CHAIRMAN.—Doesn't that make the land more valuable?

Mr. O'Rourke.—I think I can answer that. So far as these two townlands are concerned don't understand me as coming to the aid of my learned friend Mr. Rae. Owing to its proximity to Belfast the land is undoubtedly enhanced in price, and the consequence is that the tenants are paying more than double the price of ordinary agricultural land lying ten or fifteen or twenty miles off. In that respect they are bearing the burden sufficiently heavy at present. You suggest that because they derive advantages from the market they ought to contribute or give a rate in aid to help the town. I don't think that at all applies in this case, because these people are paying their heavy rent and their ordinary taxes already, and when they come into town they have to pay for the accommodation of the markets. They cannot sell a pound of butter without expending it through the market and paying

for it. They bring in everything to suit the requirements of the town, and they pay their share of the taxes in tolls to the market, whereas the ratepayer of Belfast only pays rates on land upon which he sells his commodities, and has no tax to pay for the markets. He in point of fact is doing no more than we are doing when bringing our commodities into market. After we have realized the price of our goods we go into the shops in Belfast and expend our money there. With regard to the people who have shops and pay rates, they can drive into the county for five, ten, or fifteen miles for recreation, and we are glad to see them, but they don't contribute one penny towards the county cost for the keeping up of the roads. We farmers are obliged to keep up the roads and to pay railway fare when coming into market. We spend our money in the town, and I submit with great confidence that we confer quite as much benefit upon the town as we derive from it. We have to pay large rents and heavy poor rates. We are at considerable expense in bringing in our produce, for you are aware that this is a market where you cannot bring in a wagon load of four-horse size of one commodity without glutting the market. It is not as in Liverpool, Manchester, or London. There the farmer can bring in large loads, and there is consumption for all. Here we are frequently in town, and, therefore, we contribute frequently to the market tolls.

2670. Should the landlord who gets the large rents pay some contribution?—I suppose he has to pay his quota.

2671. Suppose he is an absentee?—Then pass a law to tax absentees.

2672. Suppose he is a landlord living in Dublin?—We have no such.

2673. Who is landlord there?—Sir Thomas McCreagh, who is here.

2674. Will he get double each acre for that beyond what he would get if further off?—Where are you to draw the line. You may go on down and take in Carrickfergus and Antrim, for the markets are supplied from districts much beyond that.

2675. But the land down there is not more valuable on account of its proximity to Belfast?—Why do you say so?

2676. I am told that the land in Knock is exceptionally valuable from what it would be if it was further off?—It would not be so much because it would cost more to bring in the produce.

2677. The landlord gets the benefit from that, as the tenants are able to pay the increased rent?—The same argument applies inside the borough. The man who has ground in Castle-street or High-street by his good fortune gets five times what is paid at Carrick Hill, but still isn't the Carrick Hill man paying the same as the other? I will now call a few witnesses to prove what I say.

## PATRICK M'LAURSON, EXAMINED.

Patrick M'Laursen.

2678. Mr. O'Rourke.—Are you proprietor of some lands in Knock?—Yes.

2679. What quantity?—Fifty-four and a half acres.

2680. Whereabouts is that situated?—On the Belfast side of the Knock graveyard.

2681. Have you for some years occupied that as a farm?—I have for the last twelve years.

2682. Before you, who occupied it?—My uncle.

2683. Did he occupy it as long as you remember?—Yes, as an agricultural farm.

2684. Did he, of your knowledge, send in the produce of that farm to the Belfast markets?—Nearly every day in the week.

2685. Various kinds of produce?—Yes.

2686. How have you used during your occupation?—As a grazing farm mostly, all but one year.

2687. To what market did you send your cattle?—Belfast.

2688. Did the Town Council of Belfast allow you to expose your cattle in their markets free?—No.

2689. They charged you a toll?—Yes.

2690. For each cow?—Yes, 3d. per head.

2691. Have you let the Knock farm?—Yes.

2692. To whom?—Mr. James McFadden.

2693. For what term?—For twenty-one years, from the 1st November next.

2694. Is there a good house on it?—Fair. It is about 100 years old.

2695. I suppose it will not want any sewage from the water-closet?—No.

2696. There are no water-closets in it?—No.

2697. At what rent does it let?—Less than £3 an acre.

2698. Where do you live at present?—In the country Antrim.

2699. Have you any land out there?—Yes.

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2699. How do you employ it?—Mainly in grazing.  
 2700. How many acres?—330.  
 2701. What do you do with the cattle you graze there?—I sell them mostly in the Belfast market.  
 2702. And you pay a toll on them?—Yes.  
 2703. Is Belfast your principal market?—Yes.  
 2704. What do you say your cattle?—Mainly in the west of Ireland, Mayo.  
 2705. What do you think of the Council bringing you in?—I would rather want them.  
 2706. Would you rather want them at the Knock altogether?—Yes.  
 2707. You are opposed to their interfering with you?—Entirely.  
 2708. Does the Knock want them at all?—Not that I know of.  
 2709. Does it want any watching?—We are quite fit to watch it ourselves.  
 2710. Is it a very thieving place?—No, I never lost an article in my life.  
 2711. Is it a very riotous and disturbed place?—No.  
 2712. Is it a quiet place?—Yes.  
 2713. And you don't want the police to watch robbings or burglaries?—No.  
 2714. Have you good roads?—Very good.  
 2715. And water?—Plenty.  
 2716. And plenty of good air?—Yes.  
 2717. Is the place sufficiently drained and high?—It is very—It is on the top of the hill.  
 2718. Is Knock posted on a number of hills?—Generally speaking it is; there are a good many hills there through the entire townland; I don't know anything about Ballycoughlin.  
 2719. CHAIRMAN.—What would that land be worth supposing it was seven or eight miles away?—It would be the difference of carriage which would be hardly anything, about 10s. an acre less.  
 2720. Mr. O'Rourke said it was principally used as a market garden?—So it is.

2737. Mr. O'Rourke.—Have you succeeded to the farm which the last witness has let?—I am taking it up at the end of this month.  
 2738. Do you hold any other land in the same townland?—Yes, I hold a farm under Sir Thomas McClure, 12a. 3s. 10p. and also 6 acres in another place from Sir Thomas McClure.  
 2739. How do you occupy this land?—Partly as a market garden, partly as a grazing, and whatever way I think best.  
 2740. Do you send the produce into the Belfast market?—My man is sent to the market nearly every day, and my market dues for a year are something considerable.  
 2741. You could scarcely make an approximation?—I could not.  
 2742. But nearly every day you send?—There is not a week at any rate we are not in with some produce of some kind or another.  
 2743. Did you take part in promoting the township scheme?—Certainly not, but I was asked to sign a paper, and like Mr. McLerron in ignorance I did sign it, and when I found it was for a township I thought there would be a great deal of trouble about it, and I opposed it to the death. We want no township; we could get what we want without it. There was some truth in the statement that taxation would not be much increased, and their argument was we are paying a great deal more than we ought to pay for the roads, and we will save enough off the roads to light and water the whole district.  
 2744. There was some discovery that the quantity of stones charged to the county had not been put on the roads?—Yes, there was a wholesale robbery going on. It was represented that we could get nearly all we wanted from the county cess, and it is nearly the

2731. And is the amount of the market worth as more than 10s. an acre?—It is worth the difference of carriage only.  
 2732. Mr. O'Rourke. Is it an exceptional good site soil?—Yes, it is a better place for market gardening than where I live in the county Antrim.  
 2733. You could not produce early crops up as the Antrim side?—No.  
 2734. It is a heavy day soil there?—Yes.  
 2735. Was there any fine with the £3?—No.  
 2736. CHAIRMAN.—What are the principal grounds upon which you object to be brought within the borough?—The increase of taxation.  
 2737. Supposing the taxes were not raised would you like to have some governing body yourself?—Well a farmer does not require much management in the ownership of his farm.  
 2738. Were you to be included in Stranstown?—Yes.  
 2739. Did you object to be included?—No, I would rather be under a township than a council.  
 2740. Is that because you fear an increase of taxation?—Yes.  
 2741. Is it the fear of taxation which has operated on your mind?—Not so much taxation as the feeling that we don't require them at all.  
 2742. Did you not want some form of government when you supported the proposal to be formed into a township?—Of two evils I would choose the lesser.  
 2743. That would have involved increased taxation?—They said it would not.  
 2744. Do you mean that the people getting up that movement represented it would not increase the taxation?—They did represent that to me.  
 2745. Who represented that to you?—The young men who carried round the memorial. I have a letter on the subject.  
 2746. Supposing you found there would be an increase under the township would you be against the township?—Certainly I would remain the way I am.

#### JAMES M'FARLANE examined.

truth. However, that was not why I opposed the township, it was because I did not want to have anybody looking after me when I was fit to look after myself.  
 2745. CHAIRMAN.—Supposing you wanted to build a house on your land, do you think you are competent to arrange the details?—The architect and myself would settle that, and I don't think that if I wanted to add a bit to a doghouse, it would be convenient to have to submit it to Mr. Montgomery. It might be a great inconvenience for me to have to wait for a week, for he has a great deal of business of his own.  
 2746. Do you object on the ground of taxation?—I certainly do, for I am very well taxed already. I pay a very considerable tax to the railway every year; when I went out to live at Knock, I calculated that the railway expenses would equal the poor rates, and that is a calculation made by everybody who goes to live there, and if I am to have the railway in addition to the town tax I will be doubly weighted. At present I am sufficiently taxed to bring me into competition with the farmer in the market.  
 2747. Mr. O'Rourke.—You pay county cess and poor rate?—Yes, and I am satisfied that the Grand Jury and the Poor Law Guardians can give me all I want.  
 2748. You don't want lamps?—Certainly not; as a rule there is a great deal of street laid on the advantages to persons coming out of the town to have lamps along the roads.  
 2749. Do farmers stay out so late as to require lamps?—It very much depends on the state of the atmosphere.  
 2750. Is it an honest neighbourhood?—I have been there for many years, and the tools are dropped where

James  
 M'Farlane.



they are used and we never lost anything. The only annoyance we have is from Ballymacarrett boys who go out on the Sabbath, and they require to be warned off occasionally.

2751. Does this line take in Mr. Black?—I don't think it does, and I think if Mr. Black is so anxious to be in I think it is very unlikely of Mr. Montgomery not to bring him in, and not to let me out who wants to be out. He has to go through Knock river to get at me, and it is a straight line up to Mr. Black's, and it is far more likely to become building ground.

2752. I thought these advantages were being conferred on your neighbours as well as yourself?—It seems Mr. Montgomery has been very culpable.

2753. Is Knock river the boundary of Knock?—I think you will see it is the natural boundary, and that we are altogether unconnected with the town. The river separates it from the rest that is proposed to be taken.

2754. It is in a different parish, and in a different electoral division?—I think they made a mistake when they included as far as Knock.

2755. CHAIRMAN.—Would you suggest Knock river as the boundary?—Yes; they should not go over the river as far as we are concerned.

2756. Mr. O'Rourke.—Have you any good notion in your mind how the scheme of sewage could be made from Knock to fall in with Ballymacarrett sewage?—No; I have been so busy mining produce for the market that I have not studied any of these questions.

2757. Would you think it a very unfeasible scheme to fit in the drainage of Knock with the drainage of Belfast?—I don't think it is anything in connection at all.

2758. Have you plenty of water?—Yes, and the best of earth, air and water in perfection; we want for nothing. We have everything the Town Council

can give us free, and we don't want them to give us any trouble. I lived in the town for two years and paid taxes without giving them any trouble, and I am very much vexed by their coming out to me at all.

2759. You know Ballymacarrett?—Well, I have been through it as seldom as possible.

2760. When you come over Crosswater bridge did you ever see a row of houses on the left hand side coming in?—Yes.

2761. Did you ever see how they are accommodated with backyards?—They are in a very dilapidated condition.

2762. It is out of the window they throw the refuse?—Yes.

2763. In this improved territory?—Yes; there is a row of houses there which is a disgrace to any town.

2764. Is there a yard at all?—There is a blue gutter behind the door. I don't think you will see anything at all in the north like it. It is so very Protestant looking. We have nothing in the north certainly to compare with it.

2765. It is as bad as bad could be?—It could not be worse. There is not a man, woman, or child I have known that wants to leave the Town Council.

2766. CHAIRMAN.—Or any governing body?—Oh no, I won't go that distance; there are a number who have signed their names in favour of the township.

2767. Mr. O'Rourke.—Would you be opposed to the guardians correcting any abuse?—Certainly not.

2768. But you don't know that these abuses exist?—Not that I know of.

2769. Are they all a respectable class of houses with a respectable people?—Very, and not at all likely to allow nuisance about their houses. The County Down Railway did not give facilities until lately; at present the arrangements of the railway are much better.

## SAMUEL W. TOMLIN, examined.

Samuel W. Tomlin.

2770. Mr. O'Rourke.—Where do you reside?—At the Knock.

2771. How far is the Knock distant from Belfast?—About three miles by rail.

2772. How long has that railway been open?—About twenty-five years.

2773. During that time about how many houses have been built there?—They would not average one in the year.

2774. That is less than twenty-five houses in twenty-five years?—Less.

2775. What is the population of Knock?—230 by the last census.

2776. And what is the valuation?—The valuation is about £3,400.

2777. Did the last valuation show an increase?—No; just the same.

2778. In your opinion is Knock in any respect a suburb of Belfast?—I think not in the proper sense of the word. It is too remote.

2779. Both from distance and the possible shape of the ground?—Yes.

2780. And from want of population and sufficient houses?—Yes.

2781. Knock, I believe, is the second station?—Yes.

2782. Do all trains stop at Bloomfield?—No, not always.

2783. All trains stop at Knock?—Nearly all.

2784. How many acres do you hold?—A little over twenty.

2785. How do you employ that?—By grazing and mowing.

2786. What do you do with the produce?—I send it into the market in the regular way, and pay dues.

2787. Do you travel yourself by train into Belfast?—Yes.

2788. That comes to something considerable?—Yes; £5 in the year.

2789. Do you think that an equivalent to a corresponding tax in town?—That was one of the reasons for going out of town. To avoid the taxation which would pay the railway, and get the benefit of the fresh air. It forms a strong inducement to those who go out to live there. I have a large place in town, and I pay rates in town—in Earl-street.

2790. You are about three miles distant from the town?—Three miles from the centre of the town.

2791. Have you been at the meeting of persons to oppose this scheme?—Yes.

2792. Was the meeting unanimous?—They were.

2793. In both Ballydoogan and Knock?—Yes.

2794. Do you know Ballydoogan as well as Knock?—Not quite so well.

2795. It is pretty much circumstanced as Knock?—It is not quite the same, but nearly so.

2796. Did you hear Mr. Moffat and Mr. Masterson examined yesterday?—Yes, I did.

2797. Do you consider their description accurate?—I consider it very good, indeed.

2798. Mr. O'Rourke.—You will allow me to say that I adopt their evidence as applicable to my opposition, and I wish that their evidence may be read as applicable to Ballydoogan and Knock.

2799. CHAIRMAN.—Do you object to any form of government?—I know of forming this township as a defence against the Town Council.

2800. Is your ground building ground?—Yes.

2801. Do you contemplate some day letting it out as building ground?—Yes.

2802. What rent do you pay?—£5 an acre.

2803. Would it be worth anything like that if it was four or five miles further off?—I dare say it would not—it is close to a railway station.

DEPOSE  
Oct. 31, 1879  
Samuel W.  
Tucker.

2804. In point of fact it is your landlord at present who gets the benefit of it!—At the present moment he gets the best of it.

2805. If it cannot be formed into a township do you think it desirable that the ground you have taken with a view to building hereafter, should be put under some

form of government?—We are afraid of the taxes, and we need no further government than we have. We have the Grand Jury and the guardians, and the population is so very thin that we don't require it, and the unanimous voice of the people says so.

Mr. John  
Gibson.

Mr. JOHN GIBSON, examined.

2806. Mr. O'Rourke.—Where do you live?—In the Knock, near McLennan's place.

2807. How long have you been there?—Well, about seventy years.

2808. And were you able to exist all that time without the Town Council?—Perfectly well.

2809. You don't want them?—I don't dislike the party, but I don't want any expense to be put upon me. So as you get them out of the Knock I don't care about them.

2810. Who do you hold under?—A noble landlord, Sir Thomas McCure.

2811. For what term?—1,000 years. He gave me a lease for nearly nothing. I am the oldest man in Knock but one. Knock is very good land.

2812. It has done very well with you?—It has, and it has shown that in my life.

2813. How do you use your farm?—I use it in cropping and for grazing, for potatoes and everything that comes into the market.

Mr. Joseph  
Miller.

Mr. JOSEPH MILLER examined.

2818. Mr. O'Rourke.—Where do you reside?—In the Knock.

2819. How many acres do you hold?—Over eighteen. I should rather say my original take was over eighteen, and I have had two taken off it.

2820. You heard Mr. Campbell say that building was not going on rapidly there?—I know there were not more than two houses built in ten years there.

2821. Then I suppose you agree with Mr. Campbell, it is principally agricultural land?—No mistake about it.

2822. Belfast is a market for your produce?—Yes.

2823. Do you travel by the train into Belfast?—Yes.

2824. And pay for your railway ticket?—Yes.

2825. And any produce you have is sold in the Belfast market?—I may say I am a farmer and sell my produce in the market.

2826. Are you opposed to the extension of the boundary, so as to take in Knock?—Yes. I am very much opposed to it.

2827. I suppose you have various reasons for that?—Yes.

2828. One reason is an account of the taxation?—Yes. Another reason is the interference of public bodies as the matter of house building.

2829. Is the place sufficiently taken care of without the necessity of any supervision from a public body?—Quite sufficiently.

2830. Nothing to be apprehended from robbers or rioters?—Nothing whatever. Each house provides for its own sewage, and has plenty of water, and splendid water.

2831. Is it a healthy locality?—Very much so. So much so, that I know a great many medical gentlemen in town send their patients there.

2832. It has been urged strongly, that its proximity to Belfast has enhanced the value of the land, in addition to that, has it any quality which makes it valuable?—The drainage is very satisfactory.

2833. Natural drainage?—Yes, my farm is all drained.

2834. Suitable for vegetables?—Yes.

2835. Capable of bringing forth early crops?—Yes. Cabbages, fruits, and vegetables of all kinds. In fact that is the only thing I find I can make any money out of,

2814. Do you sometimes sell produce in the town?—I do, and pay tolls.

2815. Were you in favour of having it made a township?—I was very much against it, because I was very sorry to hear that such a dry place as Knock was to drink Sydenham, which is a place I could not describe.

2816. When you get in trouble the sea it is hard to stand it?—I am greatly against putting on taxes when a man has made a place for himself, and has made himself comfortable. I think it unfair that he should be asked to pay the taxes for men who have only been a year or two in the place.

2817. You would prefer being under the Grand Jury of the county?—We have a respectable Grand Jury that gives everything that is fair to every man. I have proved it for the last forty years. I am the oldest man in the Knock, and the healthiest.

and I take advantage of the early crops such as cabbages.

2826. Can you produce them as early as they appear in the market here from Dublin?—Quite, and I am selling some turnips at present, getting 6d. a dozen for them.

2827. Mr. Andrews, &c.—Did you take any land yourself out there for building purposes?—I took that farm altogether.

2828. For building?—Yes, I hoped to have it completed before now, but unfortunately I was disappointed. I have been living there for ten years, and I have never let any of it.

2829. At what rent?—£6 an acre.

2830. What was the principal reason why you have not been able to let it?—I think the bad times for the last few years was one reason, and the other reason is that it is too far out of town.

2831. Do you think if you were under the excellent management of the Town Council it would give you a lift towards letting it?—It would give me a lift the wrong way—it would put me back ten or fifteen years.

2832. CHAIRMAN.—Were you in favour of the township?—Well not very much, as a precaution against the Town Council; that was the only thing to make me go in for it.

2833. Mr. Ross.—This was a strong inducement for you?—It was a likely inducement.

2834. Mr. Andrews.—Some gentlemen said it was purely agricultural land. Now the total valuation is £446 upon land, and £786 upon buildings, so I think it is something more than purely agricultural?—There are residences on it.

2835. CHAIRMAN.—If your taxes were no higher would you object to be under the Town Council?—Yes, because I would be hampered in several ways under the Town Council.

2836. Would that be with reference to building?—That would be one.

2837. What other way could they hamper you?—In one they took up a scheme of sewage, and made us make our roads anew.

2838. Have you any place of business in Belfast?—Yes.

2839. Mr. O'Rourke.—Take the two townlands, and

not all the better above houses—the modern houses—occupied and owned by people similar to those who trade and have places of business in Belfast, and pay taxes on their business in the town as well—I know both townlands, and I don't believe there is a solitary one who does not trade in Belfast and contribute to the taxes in it.

2850. You don't know an occupier of any modern built house who stays there altogether?—I don't know one.

2851. Mr. *Atlee*.—What about Mr. George Martin?—He is an old Belfast merchant, who made his money in Belfast.

2852. CHAIRMAN.—The ground outside is described as building ground, and the owner applies to it these terms—"ground to be let for building, having all the advantages of Belfast and being free from its taxes." Does not that hold out its great advantage, as being close to Belfast and free from its taxation?—If I was disposed to go out to the country it would be an inducement, but certainly if I was going out to spend my money and pay taxes I would never dream of it.

# Mr. PATTERSON, examined.

2856. Mr. *O'Rourke*.—Where do you reside?—In Ballymacarrett.

2857. Have you a large place of business in Belfast?—I have.

2858. In High-street?—Yes.

2859. Do you contribute largely to the taxes of Belfast?—Relatively, I do.

2860. Why did you go out to Ballymacarrett?—For the sake of pure air and because taxation was lower.

2861. Why did you go from under the supervision of this most meritorious body, the Town Council?—In order to get free of taxes and to get fresh air.

2862. How many acres do you hold?—About six.

2863. Did you build your own house?—I did.

2864. Would you object to come in under the Town Council?—I would.

2865. If your place had been subject to town taxation would you have gone out to build there?—I would not.

2866. CHAIRMAN.—What is your valuation?—My house and six acres, about £90.

2867. The maximum you could possibly have to pay in Belfast would be about 2s. in the pound on the £90, and supposing you were to get half of that from the landlord, would you still object?—My objection is the great distance of this place. The man there is three miles from the town. I do not think the Corporation had any right to come so far over their own boundary.

2868. Mr. *Atlee*.—You pay taxes in the town?—Yes.

2869. Have you suffered in respect of your town premises any inconvenience from the interference of the Corporation?—No.

2870. So that it really comes to the question when you say you object, that you object to the increase of taxation?—Yes.

2871. Mr. *Atlee*.—Referring to that question of the division between landlord and the tenant, assuming that was carried out, whether would you rather be under the government of a body practically elected by yourself or under the government of the Belfast Town Council?—I would have a voice in the election of the Council of Belfast.

2872. Mr. *Oswend*.—I appear here instructed by Mr. Bates, on the part of Sir Thomas McClure and Mr. John Clelland, who happen to be in the unfortunate position of landlords of this eastern part, proposed to be taken in. Unfortunately because the Chairman has just dropped an observation that half of the rate may probably be divided in future between the landlord and the tenant. It is a very pleasant prospect for the landlords of these immediate townlands if at any future period they should be called upon to pay any portion of these extended rates;

2853. Mr. *O'Rourke*.—You know the present county Down boundary, and the proposed alteration. Can it be said that it is immediately outside that boundary?—No, it is not even in the line—it is outside the boundary altogether. There are townlands between; it is not on a line with them at all.

2854. When a man chooses to mention in the newspapers that his property has tremendous advantages, we all know that is all shaft?—When we pay our expenses going out and in it is the same thing to us as if we paid taxes.

2855. Mr. *Ross*.—At the time you went out to reside at the Knock, if it had been subject to the control of the Council, would you not have been induced to go over the boundary and beyond Knock?—I would never dream of going there, nor would I go out to buy property or spend money if I thought that I was going to be brought within the town. I would never have spent a shilling there if I had thought I would have been brought in.

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April 21 1874.  
—  
Mr. Joseph  
Atlee.

Mr. Patterson.

because they will be extended when lighting and watching comes in. I was not talking of their being extended to the full extent proposed, but they may be extended considerably. What then will be the position of the landlords in these townlands? When you come to report on this question of differential rating, an important question will arise how far it should be borne by the landlord, and how far by the tenant? I might mention how these town gentlemen held these townlands. Sir Thomas McClure is the landlord of the whole of Knock and Stranstown, and is landlord of the part of Ballydoonagh that is proposed to be taken in; of all those he is owner in fee. Mr. John Clelland is landlord in the same way of the townland of Ballyhackamore, and I may take it that that is by far the more substantial part in this extension, except the part of Ballydoonagh that belongs to another gentleman. As to Stranstown without exception, that is let out by Sir Thomas McClure on lease, the shortest of which is 99 years. The majority are for 10,000 years and a few are in fee-simple, so that as far as that townland is concerned, Sir Thomas McClure has no interest. The quickest time any of his successors can come into possession is 990 years hence. So that he cannot participate in any of the improvements, and his rents cannot be raised in any way, and if any rate is to be raised there, it must be borne by the occupier. With regard to Ballydoonagh, substantially the same thing is true. It is all let out for 10,000 years or in fee-simple, and I speak with knowledge that the common building lease here is in perpetuity, and they build upon nothing short of it. As to Ballydoonagh, the large part of it which comes nearest the town is also held under a 10,000 years' lease. It is a very strong ground of opposition on the part of these gentlemen to any proposed legislation, that there is a clause in one of the Town Acts of Belfast, and an Act which these gentlemen hold no locus standi in opposition, although they tried to oppose it in the House of Commons, that should they be brought in there is discretionary power in the Town Council to levy as they think proper the proportion of any of their taxes of any kind or description on Mr. Clelland and Sir Thomas McClure, in respect of these long leases, and the rest of the land in the boundary as they think fit. We had no opportunity in the House of Commons of opposing that, and I ask you to make a note of the injury it would be. No power of the sort should be given at the discretion of the Town Council. We would object to that, and we ask you to make a special note of it, as it occurs in all the other districts of Belfast. Any clause of that sort should state expressly that leases of over 99 years, or such other term as Parliament may consider fit, should not

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be called upon for a contribution, and the taxing power of the Town Council should be expressly limited to that. My friend of course can draw an Act of Parliament as he pleases to affect the pockets of other people, if they have no *locus standi* to oppose it. I mention that because it was mentioned in Mr. Patterson's lecture. But now as to the general scheme. There is the townland of Knock and part of Ballyloughan, which we will roughly describe as being outside the present boundary. But still they are subject to leases, some not drawn as carefully as others, and a great injury would be sustained. One landlord might be perfectly clear by reason of his contracts and another might not. But certainly it would be very hard in the case of a lease drawn without any exception of these things. As regards Knock, I think it should be excluded from this extended boundary. It is only 288 acres, and it is agricultural land.

2872. CHAIRMAN.—That is the portion at the south side of the Knock river?—Yes; it is an excroissance on the map. It is let at one-half of any other of these proposed townlands. Its average is 23 odd. Its houses are short leases; but may in the future turn in money; so that it is substantially different from any of the other properties. It is a branch of the rule laid down by you, for it excroresses unnecessarily on an electoral division. Mr. Montgomery said that the boundary within the Knock would be as good as without the Knock, and that by taking in the Knock we should split the electoral division. It only contains 250 persons; and he says that the boundary would be quite as good without it. I would ask you almost at present to say that you have heard enough evidence about it; and if you could, it would save time. The other is arguable on a different basis. Mr. Montgomery has given his evidence fairly, and I am not impeaching anything he said as unfair. He said it was practically as near Belfast, and he would not admit to me that it was the most remote. The entrance to it is under the arch of the railway, and it is away at the very outside. It is twice as far as the remote end of Ballynabert. It contains 18 tenants in all, and every man of these tenants opposes the extension. It is opposed by Sir Thomas McClure also; and therefore you have landlord and tenant against it; and where they are so unanimous, I think you should have no hesitation in recommending that it should be left out of the extension. The reason I argue it separately is that it rests on a different basis altogether; that it is agricultural land; and that it infringes on another electoral division. Something similar will apply to the little strip at the top of Ballyclough; and as an engineer will go through anything, Mr. Montgomery brought his boundary very insistently to the extreme point of the townland of Strandtown. You see a lot of Ballyclough brought in which is merely demesne-land. The townland of Strandtown runs out, and there is a case with regard to it to be made; but there is not the colour of a case as to that portion of Ballyclough which is just outside the extreme boundary. These two places differ from the rest in having no case on the part of the Council. I am not going to say that they have not made a case to be referred in respect to the other part of the land. This small area is merely demesne-land, of which the Council could make nothing. The entire of the townland which belongs to Mr. Clelland, and the townland which belongs to Sir Thomas McClure, and parts of Ballynabert, that may be within the circle of the compass if you place it on the arch under the railway, and pass it round so as to strike Strandtown, is all, without exception, let out, you may see, substantially for 10,000 years. And therefore, assuming that you would propose to annex it, it should be annexed with precautions, and the precautions would be the amendment of this 24th section, so that no part of any tax would ever fall on the landlords of these townlands. Another thing that would be important with regard to that—

I am now speaking of what remains between the railways—that area is isolated naturally by reason of its elevation. It is away above Ballynabert. It is the residence of gentlemen of the middle class—people in comfortable circumstances. Next it is the healthy district of Ballynacross, the inhabitants of which, although industrious people, have not the same closely habit, and it is a neglected neighbourhood; so that there is nothing to attract this area to Belfast recently. Its physical formation is such that it could be drained separately; and the instructions I have met that the proper drainage would not be into the Corporation, but round the base of it, and brought out quite easily; and nothing but pumping would ever make sewers work. I passed Mr. Montgomery on that point, and the notion of his being puzzled about the engineering question is alarming, for he knows everything about the engineering question that is necessary for a city like this, and I could not get out of him anything about the separate sewers of this district. Round and round he twisted, but he cannot deny that Strandtown has separate sewers, and it is a question whether it is to be carried into deep water or out in another direction. It is isolated in every way, and the people of this district *bona fide* believe they should not be united. Sir Thomas McClure and his agent have found that the real reason why this district has been taken by gentlemen like Mr. Patterson is that it is on the sea. I don't know whether you have been up towards Belmont. Of course there is nothing about Belfast that approaches Killiney; but this land has a sea view that makes it valuable—as valuable as land about Killiney—and these gentlemen who have it do know the real value of the sea-view, and they said that but for the proximity of Belfast they could have let it for a larger rent, and that the sea villas further off have let at more than the others to the extent of £3 or £2 an acre; and so far as Sir Thomas McClure is concerned he has lost by the proximity to Belfast. That was overlooked, because the evidence given was evidence of persons not holding leases. I mentioned that the rent of Knock was £3 odd; and it will surprise you to hear that this Strandtown, which appears so valuable, is let at the average, so far as Sir Thomas McClure is concerned, at exactly 27 per acre, and this very small income he derives out of property which is said to be so valuable being near Belfast. Land similarly situated further from Belfast are let higher, and the view not so good, so that there is immediate and direct injury sustained by owners of land near proximity to the Town Council. What the people of this district say is this: "So far as we are concerned we have never got anything from the Town Council." They are isolated, they have a separate drainage too, and they can manage that drainage for themselves. They ask this question, and I asked it from Mr. Black, and no man will deny his ability to answer it if he could answer it: "Why does the Belfast Corporation want to incorporate this isolated district?" I wanted him again and again to answer it. Now Belfast sustains any injury from this isolated area being included, and he said no; and I asked him would it sustain any prospective injury, and he said it would. I must have from the Corporation the reasons they wish to extend the boundary over this area. Take it now that Belfast sustained no immediate injury, what is the nature of the prospective injury? I think Belfast prospectively will sustain more injury if buildings are allowed to be put up in Strandtown without control. Is that the only point? No. There are some other points. The only other point he could make is the regulation of streets and sewers. I have been concerned for some bodies in sanitary matters, and I found every sanitary body is authorized to draw sanitary laws for building, and the by-laws shaped by the Local Government Board of England are the same for their urban and rural sanitary authorities. They are made under the 143rd section of the Act, and they meet every reason the Belfast Corporation have for their

pointing us. There is not a particle of difference in the matters which Mr. Black says are the reasons for incorporating us. The law is identical, and I pressed him on the subject of the by-laws for building, and so far every sanitary authority may make them, whether rural or urban. Then it comes to this: At present there is no injury sustained by Belfast—some what—over—and the perspective is imaginary; and it is only after buildings and sewers are made without control that it can in any way interfere or injure Belfast. Buildings and sewers can only be made upon land, and if they are not within the urban district of Belfast they must be in the rural authority somewhere, and they all come under these by-laws which have been issued by the Local Government Board in Ireland, but there is not a word about control throughout the evidence of Mr. Black or Mr. Montgomery, and it is to be remembered that these people to a man oppose the proposal of the Corporation to come out to them—that it was no business of theirs, and that they sustained no injury, and is it possible that the Government of a free country should take no notice of the voice of the people, and because Belfast sustains no injury at present, or perspective, have they a right to suspect people and deteriorate their property, and challenge everything that has been done. We don't want second-hand engineers to do work by deputy. I think there is a great deal in that scheme of Mr. Ross's. The Act of Parliament is not clear, and to a certain extent it is a surprise, but the Act, I think, contemplates what he proposes, and a good deal is to be said about it. Assuming the possibility of annexation of this area, it is doing no harm to Belfast, and must be drained by itself. The Belfast Corporation will spare no expense on anything. I would like if there is to be annexation it should be with some clause like that in the Act of '78—namely, the 158th clause. There are miles and miles of road in Strandtown. It should have a clause applied to that similarly precisely to Halliday's clause. There are eight or ten miles of such roads in Strandtown, and I would ask that they should be put on the same terms. I am convinced it was justice to give that clause in respect to Halliday's road, and I have no doubt that the Corporation is making a similar arrangement as to Strandtown.

2874. CHAIRMAN.—Would that apply to future roads or only to those made up to the present?

Mr. Overend.—Of course only to those made up to the present, and although I have been chaffing my friends more or less about the road it is a matter of substance. In contemplating any such extension; as there have been made in this area a variety of accommodation made for single houses, every one of these would be streets and lanes, within the meaning of the Act, and it would be a great injustice if these were to be paved, flagged, or kept at the expense of the owners of the property. There are instances of persons in Belfast who have been almost ruined by something like this.

2875. CHAIRMAN.—Have these roads been made

by the owners or could they be distinguished in any way?

Mr. Overend.—Probably they could be and a schedule will be made of them. There is a third very important matter. The district should be isolated from the past debt in Belfast. Belfast in the past has acquired debt for improvements and not a copper of this has gone to this district. It is exceptional altogether. Sir Thomas McClure employs an eminent engineer, Sir Charles Langton, and care was taken and enormous sums laid out, and they never thought they would be reached by the Town Council. They therefore claim that they should be exempt from the debt floating over Belfast for similar works, and that they should be exempt from any drainage unless Strandtown was to benefit by it, and that draws attention to the question of differential rating. We should exclude everything in the shape of interest on the Belfast debt, and everything for expenses in the borough in which this district did not participate. There would be an extensive loss in this matter otherwise if this extension is made. We could produce engineering evidence to show that the engineering system for that district must be different. Belfast is going to spend £250,000 on drainage, and when the Belfast drainage is complete these gentlemen will not be backward in pouring their sewage into it and paying whatever is their fair proportion towards it.

2876. CHAIRMAN.—The Corporation are getting £20,000 a year from the gas works, and £5,000 a year from the markets. Do you mean that your districts get no benefit from these things and should pay no share of the debt?

Mr. Overend.—We don't care how much you isolate us. We don't want to be near Belfast at all. Supposing the gas company was to become a losing concern; there may be a development of the electric light and we don't want to speculate at all. We are gentlemen in comfortable circumstances and we don't go in for speculation.

2877. CHAIRMAN.—The question of debt was considered in the cases that arose in England. The question considered was, whether the town was insolvent, and everything that the district might be called upon as surety for the principal was considered. But I don't think that idea was ever entertained if the town itself was perfectly solvent.

Mr. Overend.—There are many matters which have to be done in Belfast. They have the Blackstaff and other nuisances to be removed and it is a question whether this isolated district should be asked to contribute at all. I may say there is the very substantial question that if anything should arise in the way of annexation there is power to levy 6s. 4d. These gentlemen who have built villas there find this lowering over them, and even more than 6s. 4d., because the evidence of Mr. Montgomery is that Belfast ought to be relieved so that 6s. 4d. would not be the maximum.

The Commissioners then adjourned until the following morning.

## BELFAST.—SEVENTH DAY, OCTOBER 23RD, 1879.

Oct. 23, 1879.

2878. Mr. Young.—I wish to correct the answer I made to one of the questions respecting Clíchester Park. I was explaining the reason why the Board of Guardians did not proceed with the work of connecting the sewers. The real reason was that at that time the law was held to be so incompatible with regard to the portion of ground on which the rate could be made—it would include the whole townland of Strigonsill. This little work lay on the lower ex-

trinity of it, and would only benefit a few individuals. Mr. Young.

2879. Mr. Corcoran.—Have they taken any action since the law has been changed?

Mr. Young.—I believe they have been asked to proceed under the new Act.

2880. Mr. Overend.—I wish to put in the memorial from Strandtown (see Appendix No. 9), and to say that the evidence I shall adduce is merely supplementary, and not intended to cover the same ground.

Mr. FRANCIS DUFFARD, examined.

REPORT  
Oct. 21, 1873  
Mr. Francis  
Duffard.

1881. Mr. Overend.—You are agent to Sir Thomas McClure?—Yes.

1882. Over this property?—Yes, for upwards of twenty years.

1883. During that period you have been acquainted intimately with the management of this property?—Yes.

1884. What townlands does Sir Thomas own?—Knock, Strandtown and half of Ballycloghan.

1885. Who owns the adjacent townland of Ballyhackamore?—Mr. John Clifland.

1886. How is Strandtown let?—The shortest time (and there is only one lease of that duration), is for 999 years; there is part of it in fee-farm, and nearly all let for 10,000 years.

1887. How many tenants are there on the townland of Strandtown?—About forty-one.

1888. What is the average rent?—The average of Strandtown is under £6 15s. an acre, about £6 15s. 6d. or thereabouts.

1889. Are you able to speak of the lettings in Ballyhackamore?—No.

1890. How is Ballycloghan let?—We let it out in a similar way.

1891. There is no lease there less than 10,000 years?—None.

1892. What is the average rent of that?—£7 about.

1893. How many tenants are there on it?—Twenty-one.

1894. The townland of Knock differs in respect to the length of lease?—Yes there are agricultural leases for lives in Knock, and about half of it is held by farmers, and the rest of it only averages under £4.

1895. How many acres are there on the Knock?—282.

1896. And the population is 250?—I have heard it stated so, but I have no means of saying.

1897. How many tenants are there on the Knock?—Eighteen.

1898. It is in a different electoral division?—Yes—Castleknock. There is part of Ballycloghan in the proposed incorporation which consists of demesne lands.

1899. How many acres?—About 110, Sir Thomas's and Mrs. Coleman's.

1900. Do you think Knock under any circumstances should be included?—No. I think it is a most absurd proposition.

1901. And this upper part of Ballycloghan is something similar?—Something similar.

1902. CHAIRMAN.—Does he include in the upper part of Ballycloghan the demesne?

Mr. Overend.—Yes; the rest is let out on leases similar to Strandtown.

1903. I suppose your memory carries you back to the letting of most of this property?—It does.

1904. What was it gave the property in Ballycloghan and Strandtown its special value?—Strandtown especially?—Its natural advantages, the size of the land, and its undulating contour, and it had intrinsically a value in itself. I should add that it obtained a great deal of the value owing to the lavish expenditure of Sir Thomas McClure upon it.

1905. It is valuable for its sea view?—Yes; that is part of its intrinsic value.

1906. Do you think in the value of the land added to by reason of its proximity to Ballymacree?—Certainly not, but the very opposite, for I have ascertained the fact that land which possessed rather inferior natural advantages has been let at double what our land has been owing to the drawback of the approach through Ballymacree.

1907. Do you know whether the land towards Clonsilla with a sea view is let at a higher rent?—Yes.

1908. By reason of its being further away from Belfast?—No; I think it is partly owing to Strand-

town having a very superior view, the other is better, but no doubt distance is of advantage too.

1909. You say a good deal of the value of the land was derived from the works done, what were they?—When Sir Thomas got it it was chiefly agricultural land, small fields badly fenced and all that, there had to be levelled, the farmers had to be purchased out, roads had to be made, even some of the county roads had to be re-made, the Strandtown-road and the old Hollywood-road were improved at Sir Thomas's own expense; there was drainage and coverage provided, and ornamental planting—all these things added to its value.

1910. Who was the engineer employed in laying it out?—At the commencement it was Sir Charles Lanyon, but it was done chiefly by his assistant, Mr. McKinnon; afterwards Mr. McKinnon started on his own account, and he has been in charge of it as engineer.

1911. And when it was so laid out you made these lettings?—Yes.

1912. CHAIRMAN.—What was the rent before Sir Thomas invested all this money?—I think from £3 down to perhaps 50s. I only speak from memory.

1913. Has it doubled in value by the expenditure?—Just about that.

1914. Mr. Overend.—You have had your attention called to the 54th section of the Act of 1878—the Town Council Act?—Yes.

1915. And that would apply in case you were incorporated within the Council?—I presume so.

1916. Do you think that in the case of landlords like Sir Thomas McClure and Mr. Clifland where their terms are so long they should be called upon to pay for any of the sanitary improvements of those districts?—Certainly not; I could conceive the propriety if they had the reversionary interest.

1917. What you mean is a more immediate reversionary interest?—Yes; but where they have parted with it in perpetuity I don't see any justice in their being obliged to contribute for the improvement of it for their tenants, who would get the benefit of it.

1918. Knowing the particular circumstances of these townlands would it be an injustice or not?—I believe it would be for this reason—to make it subject to those provisions which are necessary in a town, it is very different in a rural district where drainage doesn't much matter except what is necessary for surface drainage, that is a very different thing from making a landlord there liable where you provide for the extended system of town drainage, it would be most unjust.

1919. It would be unjust to leave it to the Council as they think proper?—Certainly.

1920. You had no locus standi at the time this Act was brought in?—No, nor had other tenants there, and therefore it would be unjust to bring them under these obligations.

1921. CHAIRMAN.—Sir Thomas McClure in all his leases I suppose provides that the tenant is to pay all the taxes?—All except half the poor-rates.

1922. CHAIRMAN.—Then no matter what occurs he has nothing more to pay?

1923. Mr. Overend.—It all depends on the wording of the covenant. They made their contract at a time when there was no case like this in contemplation. We would like it to be taken out of the discretion of the Town Council, and that all the leases of 999 years should not pay anything under any circumstances.

1924. Mr. Overend.—Are your leases all the same?—Yes; we have a printed form of lease, and practically they are all the same. There was some of Strandtown let in perpetuity before Sir Thomas purchased the estate.

1925. Mr. Bruce.—That is a very small portion?—Yes; comparatively.

1926. Mr. Overend.—In regard to that he is not protected. I am satisfied to have this 54th section and the succeeding sections put on the notes, we will

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Oct. 22, 1879.  
Mr. Francis  
Dunne.

ledge a copy of the lease, and of Mr. Clelland's. In regard to these streets that are laid out over this property, I suppose you are acquainted with the style of them?—Yes.

2397. How were they laid out?—They were constructed after the manner of ordinary county roads, in fact superior to some of the existing county roads in the district.

2398. Have you anything analogous to private roads laid out for villas?—Yes; these are the roads I spoke of.

2399. Were they well laid out?—Yes; with one exception to the townland of Knock, the road was not made with the same expense or paved in the same manner.

2400. In addition to the main paths there are many miles of private roads purely for the accommodation of the villas?—Yes.

2401. And these would be streets within the meaning of this Act?—Yes.

2402. Substantially this whole area is isolated as compared with Ballymacarrett?—Yes.

2403. And should be drained separately?—Must be.

2404. So that it would not be required for the use of Belfast in any main drainage scheme?—No; the very opposite.

2405. Be that everything done for it should be done for its own benefit?—For its special requirements.

2406. If it was incorporated should separate accounts be kept?—I think so.

2407. CHAIRMAN.—Why should accounts be kept separately?

Mr. Overend.—We prefer the rule of keeping our- selves separate. Would it be fair that any of the past debt of Belfast should be paid by the inhabitants of this area? I think not. Many of them had no voice in the contracting of that debt, and derived no benefit from the expenditure.

2408. Do you know the improvements contemplated in the Act?—Yes.

2409. And the powers of the Corporation to borrow £340,000?—Yes.

2410. Would this district derive any benefit from that?—Practically it would not. It would be rendered no more valuable by these street improvements. Any person who would derive as much benefit as they would.

2411. CHAIRMAN.—Do you mean to say it would be no advantage to any of the gentlemen living out there to have the Blackstaff nuisance removed?—It would, so far as their occupation of Belfast goes, but not as regards the occupation of their residences.

2412. But wouldn't their families derive advantage by having the town pure, and in a good sanitary condition?—Of course it is the same advantage to any ordinary traveller.

2413. Mr. Overend.—In your opinion this district should not be called on to pay anything for the main drainage of the Blackstaff?—Decidedly.

2414. That means that there should be a differential rating for this district if taken in?—Certainly.

2415. You think that so far as this debt and the prospective improvements are concerned the rating should be so made that this district would not have to bear any of the burden?—The rates now levied in Belfast are owing to the enormous expenditure in Belfast, in which these districts did not share, and therefore they should not be asked to pay any of the rates necessary to repay that expenditure.

2416. Have you formed any estimate of what sum would carry out the necessary works in Stranstown?—I went into Mr. Mackintosh's calculation, and I think it is reasonable and fair.

2417. You know the power of the Corporation to levy 6s. 6d. in the pound?—Yes.

2418. That can be made incident at any time the Corporation declares these places lighted and watched?—Yes, if there is no provision to the contrary.

2419. What do you consider a grievance in regard

to that?—In regard to that 6s. 6d. rate, I believe it would deter improvements in the district, and put a stop nearly to all building.

2420. Would it lessen the value of these improvements already made, and affect the letting value in your portions?—Certainly.

2421. You heard Mr. Montgomery say that the valuation of Belfast could be largely increased by a revaluation?—Yes.

2422. That would raise the rate to possibly 7s. 8d. or 8s. if they still levied 6s. 6d. Of course on an increased valuation it would be equivalent to a much higher tax on the present valuation.

2423. Do you see that memorial from Stranstown?—Yes.

2424. Look at the names to it, they are substantial owners of property in Stranstown?—They are.

# Cross-examined.

2425. Mr. Andrews, q.c.—Have you found that the letting value per acre has increased; for instance, have your latest lettings been in excess of the earliest?—In some instances.

2426. I don't want to ask the name, but give me an idea of what is the rate per acre of the very last and of the very earliest letting?—Seven pounds in the last.

2427. The very last?—The very last.

2428. Have you any letting above that?—Not lately.

2429. That has been the maximum?—There was a small portion let (only 5 or 6 acres) as high as £12 10s.

2430. Was that recently?—No.

2431. Seven pounds is the present rate?—Yes.

2432. And at what did you begin?—Six pounds I think.

2433. Is that per Cunningham or per statute acre?—Statute.

2434. Therefore it has tremendously increased?—Yes, to some extent.

2435. We all know that no district could have been more indebted for good management than that has been to Sir Thomas McClure. He has laid out a great deal of money on it?—No doubt.

2436. Bought out farmers, constructed roads, and improved the property in every way?—He did.

2437. Was that not done for building purposes?—It was.

2438. And the result has been so far satisfactory that you have more than doubled the existing rent?—That is true, but at a remuneration not at all equivalent to the money, time, and energy spent upon it.

2439. That is a question for Sir Thomas McClure?—Yes, but I am only showing it has not been such an extraordinary demand for him.

2440. Your views are very decided against the incorporation of Knock. How many farms are in the 275 acres?—Nearly half of it is held by farmers.

2441. How many of them hold large farms?—Four or five.

2442. Is the rest of it villa residences?—Yes.

2443. With regard to the domains of which there are very considerable quantities, has Sir Thomas offered to part with it?—Yes.

2444. He would be willing to let it for whatever it is suitable?—It would depend altogether on the price.

2445. You spoke of Ballymacarrett as rather a disadvantage to his property. Don't you think the existence of the slob lands constitutes a great part of the disadvantage?—No.

2446. Do you think it is against it?—The slob lands recently have been a great drawback, owing to the Town Council sewage being spread over it.

2447. Then it is not Ballymacarrett only, but the fact that you have exposed slob lands?—Yes; there has been a detriment to it also from the sewage of Belfast, and if they had done their duty that injury would not have been inflicted on us.

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Oct 22, 1925  
Mr. Francis  
Dunlop.

1978. The 6s. 6d. rate is the possible maximum?—Yes.

1979. Have you any reason to show it will ever be imposed?—We have great apprehension it will, when these street improvements are carried out; it is very probable.

1980. Of course the Strandtown and Knock districts, so far as built upon, have been valued at the recent valuation, and are valued higher than places constructed half a century ago?—I don't know what the valuation was half a century ago, but I think it is quite possible the Council would increase the valuation.

1981. In case of re-valuation, the old buildings will be brought up to the existing value?—There are not many old buildings.

1982. In Belfast?—Yes, in Belfast.

1983. Isn't it perfectly obvious that if the valuation of Belfast be increased in a greater ratio than Strandtown, Strandtown will benefit?—That is the doubt whether it will be increased in a greater ratio.

1984. We all know the valuation of towns is grossly low. Have you recently made holdings of very considerable tracts as high as £10 an acre?—Yes.

1985. Where?—In part of Ballyloughan.

1986. How much land?—I think there were 18 acres.

1987. Let for building ground?—It was more densely grassed, it enjoyed peculiar advantages.

1988. Mr. Overend.—Afforded by the Town Council I suppose?—No.

1989. CHAIRMAN.—Do you know the portion of the Downshire estate proposed to be brought in?—I know very little about it.

1990. Mr. Overend.—That is very near the city?—Yes.

1991. CHAIRMAN.—They were offered £15, and they went £30 now?—I did not hear that in evidence.

1992. A gentleman stated it?—He said they were asking that for it.

1993. You say that Ballymacarrett operates injuriously on Sir Thomas McClure's property?—Bear in mind, that during the time the Town Council held Ballymacarrett they did nothing for it, and the injury was then inflicted, because it was during that time he let his lands, and any improvements made in the district now will be for the benefit of the present holders.

1994. But as to the intermediate unlet portion thus operated upon by the state of Ballymacarrett?—There are only seven acres unlet.

1995. Don't you think the persons who live further in and have to pass through Ballymacarrett will be

affected?—They have a railway through it fortunately.

1996. They must drive in and use the roads?—That is only to a small extent, the railway affords accommodation to those daily coming in and out.

1997. You say the present condition of the foreground and the dock-lands, in your opinion, affects the value of Sir Thomas McClure's property on building ground?—It does to those tenants who now hold it.

1998. And as to the portion unlet upon it affects it also?—It does, but it is a very small portion.

1999. As to the portion not built upon would the taking away of that sewage matter materially benefit it and the tenants also?—It would.

2000. That can only be done by a system of main drainage?—Yes.

2001. Do you think that property which is injuriously affected from the want of main drainage will be improved by it, and if so should they be allowed this benefit at the expense of other people, and not pay anything towards it?—I think, certainly, they should not for this reason, that if a man commits injury he should not ask the man he has injured to pay for abating it.

2002. Do you call this a suburb of Belfast?—I do not.

2003. What is it?—It doesn't adjoin the borough of Belfast there is another townland intervenes. I don't call it a suburb of Belfast at all, it is a rural district.

2004. Is it a suburban rural district?—No, I would not call it even that.

2005. Isn't an unlet rural district a district close up to a city?—This is not close to a city.

2006. The moment you pass over the bridge at the Cornerstone you come to buildings, and then there is building ground laid out for building for two miles?—You don't come upon the townland of Strandtown.

2007. First you come to Mr. Boyd's, and then you come to Strandtown?—No; you pass over other portions of Ballymacarrett not in Mr. Boyd's possession at all.

2008. Mr. Overend.—We heard some evidence about continuous tenancies in this area, what does it principally consist of?—There are two continuous streets only built in Strandtown, and I would not call them tenancies. They don't deserve the name.

2009. CHAIRMAN.—In your opinion would this place ever have been opened up for building, and the money expended on it, only for its proximity to Belfast?—I should not like to say that, but, at the same time, I believe if it had been further off it would have been better for it.

Mr.  
Mackintosh,  
c.c.

Mr. MACKINTOSH, c.c., examined.

2010. Mr. Overend.—I believe you laid out the roads in this area for Sir Thomas McClure?—Yes; except one in Ballyloughan.

2011. At that time were you an assistant to Sir Charles Leysant?—Part of the time I was in his employ.

2012. So you know these roads well?—I do.

2013. I believe the entire area may be described as villa residences?—Decidedly.

2014. Are there a large number of accommodation roads—taking the whole district—that are purely for the accommodation of these villas?—Decidedly, for the villas only.

2015. Are you able to state how many miles of such roads there are?—About six miles.

2016. Of private accommodation roads?—Yes.

2017. Mr. Overend.—Who are they maintained by now?—They are supposed to be maintained by the tenants.

2018. Mr. Overend.—They were lately laid out by Sir Thomas, and the tenants are bound by their leases to keep them up.

2019. Mr. Overend.—Are they so kept up?—There are one or two instances in which they are neglected.

2020. CHAIRMAN.—Are there similar private roads in Ballymacarrett?—Yes; in all the townlands.

2021. Mr. Overend.—And if the tenants don't keep them up what remedy is there?—Sir Thomas can compel them.

2022. Mr. Overend.—The leases will show that?—Yes; I believe so.

2023. What sort of road is Haliday's road?—It varies from twelve to twenty-one feet wide, and it is something under 300 yards long. There are some old houses on it, and there are three new houses being built upon it at present, and at the extreme end there are some twenty-five houses built upon it.

2024. Are there any roads in this area similar to Haliday's road?—I should say they are all similar, all the private roads.

2025. Are there some roads in this area that should be exempt under the 183rd section of the Act?—I believe there are, I will prepare a schedule of them.



3026. CHAIRMAN.—You say the tenants are bound to keep the roads in repair?—So I believe.

3027. Have the tenants a right to use these roads?—It is open to every one to go on them, but I think only those on the road have a right to go there. Keeping the road in repair as an accommodation road does not mean paving and flagging it like a street.

3028. Mr. Crossin.—I am a tenant on the estate, and I have tried for twenty years to get them kept in order, and I cannot.

3029. Sir Thomas McCleave.—My only desire is to protect the tenants, some of whom have only an acre and an acre and a half, from extreme exorbitance. They have to maintain the roads as good country roads. I believe I am protecting them from extreme charges which would in some cases expropriate their property. The tenants once put them in order as good country roads their liability ends there.

3030. Mr. MacKinnon.—It was put into the market in this way. It was never contemplated to lay it out in such a way that it ever could become part and parcel of the town. It was laid out for villas, and with the view of having more the appearance of private avenues than street roads.

3031. Mr. Overend.—At all events the covenants in the leases refer to that state of roads?—They do.

3032. Mr. Bruce.—You said there were about six miles of roads purely for the accommodation of villas, what do you mean by that, are they not roads over which any one could walk?—I said, I believe, every one did go over them, but the right to use the roads was given to those who live along them.

3033. Are there any gates to them?—No.

3034. Are you quite sure there is not a single gate?—I could not mention any gate.

3035. Aren't the high roads open to the accommodation of the public?—No doubt of it.

3036. And is there anything to prevent the owners of property on each side building in front of these roads?—Nothing in the world, except that I don't see it would be advantageous for them to do so.

3037. That is for the discretion of the proprietors,

but is there anything to prevent a proprietor building a row of houses fronting the road?—I think the class of property is so valuable you would only injure those villas by attempting to build a row of houses before them, the land is very valuable as it is, but it is not sufficiently valuable to make the owners sacrifice their beautiful places. The time is very far off before that can occur, and the ground should be worth £30 or £40 an acre before they would do that.

3038. CHAIRMAN.—Do you know the ground let at £10 an acre?—I do.

3039. Is there any covenant that the leasee of that ground is only to build one house on it?—I don't know.

Mr. Despard.—The leasee has power to do what he likes with it.

3040. Mr. Bruce.—You said Mr. MacKinnon, that these roads were in a similar state to Holiday's-road. What do you mean?

Mr. MacKinnon.—They are similar in this way, that they are the owners' roads, they are looked upon simply as private roads.

3041. Are you aware that Mr. Macmory cannot build on Holiday's-road without the consent of the Corporation?—I don't know, but I know there are three new houses being built on the other side of it.

3042. Are you aware whether that is done by the consent of the Corporation?—I do not.

3043. Upon the parties undertaking to put the road in order, and repair under the supervision of the surveyor?—That may be.

3044. Mr. Overend.—Where is the clause binding them?

Mr. Bruce.—It was a condition imposed by the Corporation. There was litigation between the Corporation and Mr. Macmory, and being an exceptional case, they said we will leave it as it is; but Mr. Macmory cannot build there until it is put in proper order.

3045. Mr. Overend.—Mr. Black proved here on the last day, that a similar clause could be made as to these roads.

#### EDWARD DAVISON BATES, examined.

Mr. Richard D. Bates.

3046. Mr. Overend.—I believe you know these townlands belonging to Mr. Clarendon?—I do.

3047. And you are acquainted with the letting of the land?—I am.

3048. What length of term is it let on?—It is let on long terms of years, from 1,000 to 10,000 years, and there is no limit to the leasing power.

3049. You are a resident in this eastern district?—I live just beside Mr. Crossin's.

3050. And you are intimately acquainted with the district?—I am.

3051. As solicitor, you know the kind of property that is actually demanded in this lease?—I do.

3052. And you know these roads that have sometimes been called private roads, and accommodation roads?—I do.

3053. They were put into the kind of repair suitable for a gentleman's residence?—With the exception of one or two, they are in a very good state of repair. There is a road below Mr. Crossin's, which lies low and is not in very good order. The place that Mr. Crossin refers to, runs past my own house, but towards the Cornerwater, it is in very good repair. The place next Mr. Crossin's is not by any means in good repair, and with the exception of that, all the others are in good repair.

3054. Is Mr. Crossin bound to put that in repair?—I believe he is. I have not seen his lease, and I cannot say.

3055. Mr. Crossin.—I am only bound to repair portion of it, and the statement in the lease is that the roads shall remain private roads.

3056. Mr. Overend.—At the time that those villas were demanded in Rallyhackmore and Strandtown, the covenant refers to the then state of the roads?—Yes.

3057. And that is not at all the same as streets in the town?—Certainly not.

3058. In your opinion, would the liability to have these roads made into Corporation roads, affect the value of property?—I believe it would affect it more materially, and I will state my reasons. In purchasing a property in Belfast, one of the most serious questions that arises on the side, is whether the streets have been made and approved by the Corporation. If they have not, provision is always required that the street shall be so made, or something done. In some cases the sale is thrown up. In my opinion if the Corporation had unlimited power, which they would have under their Acts, to order these streets to be made and paved, and flagged in any manner they may choose, the result would be, that as these streets never have been finished, and never approved by the Corporation, the selling value of the property adjoining these streets would be all utterly destroyed. I know for my part, if I was advising as to the purchase of a house adjoining one of these streets, I would utterly refuse to carry it out, unless the Corporation had passed a resolution approving of the streets, or unless there was some indemnity. If the Corporation ordered streets to be made in these districts in the same way as they order in the town, the expense would more than swallow up the profit on some of the properties there especially in Sydenham the class of property is small, and the owners never thought they would be liable to make streets for the Corporation, and therefore they should be considered to have a vested interest in the ground; that vested interest should not be ruthlessly interfered with by the Corporation. I don't wish to be understood for a moment, as saying that the Corporation would compel these streets to be made at huge expense, but the uncertainty of the manner in which

REMARKS.  
Oct. 27, 1878.  
Mr. Richard  
B. Bates.

the Corporation might exercise their powers should be put at an end, and if the Corporation wish to take in this district, they should respect the interests of the parties there; they should take these streets by themselves, and if they want them to be made better than they are, they should do that at the expense of the town, and not at the expense of the individuals, who went there and built without any knowledge that the Corporation would ever interfere with them. At the time the Corporation went for this Act of 1878, they had some clause in it which would have enabled them to have made footways, and spend a large sum of money on the highways, in the places which had been taken over from the Grand Jury in the county Down. When the draft of the Bill was laid before the Corporation, of which I happened then to be a member, I objected to that clause on the same grounds. I said it was not fair, and that their vested interests should be respected. I calculated that the laying out of this money would entail a great hardship, and the result was that the Corporation adopted my views, and expunged the clause from the draft. I think a similar course should be adopted here. I would not apply it to future streets, but certainly in regard to roads existing the owners should be protected, and their property should be put beyond the possibility of being injured by the action of the Corporation.

3053. CHAIRMAN.—That is, supposing it was recommended to bring in any outlying districts, your idea would be that the Corporation should be bound to accept them as they are at the moment they annex them?—Certainly.

3050. And that they should not, except at the expense of the entire body, make any improvement of these roads?—Yes; at the cost of the entire town.

3051. Only making the inhabitants of that district pay their share as any others?—Certainly.

3052. Mr. OVEREND.—Of course, what Mr. Bates says is very right; but if this road, which was originally a private road, is made a public road, the Corporation may say, Put this into a proper state, and then see what will be the result.

3053. CHAIRMAN.—That is as to the future. Would this meet your view if you had any apprehension that the Corporation might be inclined to order expensive works to be done out there—that with regard to existing roads in the district to be brought in, they should not be at liberty to make any alteration in the existing roads, or any new roads, except such as might be sanctioned by the Local Government Board?—I think that would be a very valuable suggestion.

3054. CHAIRMAN.—Be they private or county roads, that the Corporation should accept them as they are the moment they are annexed, and they should not require the owners or owners to spend one shilling on them except what quota they might have to pay as ordinary ratepayers of the borough; and further, that in order to prevent too expensive a class of roads being required by the Corporation, and for the protection of the persons who had accepted building leases, they should not be at liberty to make any new roads save such as would meet with the approval of the Local Government Board through their engineer?—That is a very valuable suggestion.

3055. Sir Thomas McCIFF.—I think that would meet the case.

3056. Mr. BATES.—The clause as to Halliday's road is the very one that we require.

3057. Mr. BATES.—Halliday's road is the road which it was contended was not intended for building, and therefore it did not come under the state of the law at the time that Act was passed; but it is absurd to contend that these six miles of roads were not laid out for building. That Act left untouched the litigated question whether the Corporation, under the Acts of '58, '65, and '73, could not order Halliday's road to be formed.

3058. CHAIRMAN.—Would the Corporation object to a recommendation that, as far as the roads in the district to be taken in are concerned, they should be

accepted by the Corporation in the condition in which they are at present; and that, as regards the future, no new road should be commenced by the Corporation without a right of appeal to the Local Government Board?

3059. Mr. BATES.—The Corporation would totally object to it.

3070. CHAIRMAN.—I would like to know upon what ground?

3071. Mr. BATES.—Suppose there is a road that goes to one of those districts, is it intended that if there is increased traffic to a number of houses, rendering a better order of road necessary, a new rule is to be adopted? The Corporation say it would not be able to make, with regard to this proposed district, a totally new rule from that existing at present in the borough.

3072. CHAIRMAN.—Mr. Bates applies his objection to existing roads.

3073. Mr. BATES.—Suppose there is a road which requires sewerage owing to the increase in the number of buildings, or a road that requires better metalling owing to increased traffic, is it reasonable to say that, if we are to take in Strandtown, we are to make one rule for Strandtown and a totally different rule for other parts of the town?

3074. CHAIRMAN.—Certainly not.

3075. Mr. BATES.—That is Mr. Bates's proposition.

Mr. OVEREND.—No.

3076. Mr. BATES.—I don't think Mr. Bates can clearly show the result would be. The Corporation must take over the roads as they are; that is to say, they will take over the roads, and if the road is a good one, and fit for the place, it will remain as it is, but in case of any road which, when taken over, is found defective, or which, from the progressive buildings upon it, gets into an impossible state, the road should be put into fair repair by the owners of property. But Mr. Bates's proposition is that the roads should be taken over as they stand.

3077. Mr. BATES.—No. I am speaking of the roads as existing roads. I am assuming, in what I have said, that the roads have been fairly kept up under the lease; and then, if they were, the Corporation should take them up as such. Do I understand from Mr. Bates he admits there are about six miles of this class of roads?

Mr. BATES.—I do.

3078. Mr. BATES.—Then there would be six miles of streets which would be in neither one state or another, and the Corporation would be put into the unpleasant position of saying, We order these streets to be made; and there would be this hardship put on owners, that it would be impossible for the Corporation to deal with those streets for years, and therefore the property would be seriously depreciated, owing to this question of the roads hanging over it. I do not want for a moment to insinuate that the Corporation would do what is not fair, but I object to the indefinite power they have.

Mr. OVEREND.—I have closed my eyes.

3079. Mr. OVEREND.—It is necessary to have something more definite than can be defined in a convention, and the very moment Mr. OVEREND writes down what he suggests to you as a just recommendation, we will give it a most attentive consideration; and if it is fair, we will adopt it; and if there are objections, we will present them for the purpose of having them considered. But the moment you attempt to reduce that to writing, you will find there is a great deal more to be taken into consideration than Mr. OVEREND has considered, or Mr. BATES met. About what rule do you get upon these leases, which are practically perpetuities?

3080. Mr. BATES.—There are ranges from 27, which I think, are the lowest. I think Dr. Rishay has a lease which twenty years ago was for about 27, and since then the rents have been varying. Some are paid about £12, and in the event of the ground being used for manufacturing purposes the rent is to be increased to £15. There is some a little farther out of town

that is let at £18 an acre, but the chief portion is now let at £12 an acre.

3031. About how much of Mr. Clolland's property is Ballyhackamore is unless I—I am not prepared to give an answer, a large portion of it is let.

3032. The roads that exist through this district were, of course, not made without there being some necessity for them, and of course they would serve some useful purpose?—No doubt. If that road is suitable for the existing requirements of the locality, then I say it would be a very just thing that the Corporation should not absolutely begin to make expensive improvements upon it.

3033. But do you propose to deprive the Corporation of the power to exercise discretion as to whether existing roads are fit to be taken over by them or not?—I propose to consider first the interest of the persons who have spent their money on that property, without believing that the Corporation would ever interfere with them. I would recognise these vested interests before I would recognise the discretionary power in the Corporation.

3034. Under existing circumstances these roads are not on the county?—No.

3035. They are dedicated to the public as high roads, but they are not county roads?—The majority are not.

3036. Whatever repairs are executed must be done by individuals?—Certainly.

3037. The moment the Corporation take them over that liability ceases?—Yes.

3038. Before they are taken over would you think it reasonable they should have some voice in considering whether they are in a fit state?—I have already stated that I assumed the covenant to maintain these roads had been performed, and if it had been, then these roads would be in a fair state for all practical purposes. I do not mean if a road is in an outrageous condition of filth it would be fair to ask the Corporation to do what the owner should have done.

3039. And in point of fact to some extent these roads are not in the condition in which they were covenanted to be kept?—I believe the majority of them are in a reasonable state.

3040. The state they were covenanted to be kept in is different from a reasonable state?—I believe if the roads were in a fair ordinary state, such as the roads that have already been taken over by the Grand Jury, it would be fair and reasonable.

3041. Mr. Corcoran.—Could the question be left to the decision of the County Surveyor?

3042. Mr. Andrews.—What it comes to is whether there should not be a change in the appellate power from the order of the Council. At present if the Town Council make an order that something is to be done in connection with any street which embraces these roads that is subject to appeal. If that has been shown to be an imperfect remedy let us consider a better one, but if it is only said in a vague kind of way that that has not worked, I failed to see that any substantial grievance has been found with that appellate tribunal. I have heard no statistics of that appellate tribunal having failed in its duty.

3043. CHAIRMAN.—By the Sanitary Act of last year structural improvements in the houses are to be done by the owner; would it meet the case if the Corporation had no power as to existing roads to order any structural improvements, but that the metalling of the road should be put into perfect order to the satisfaction of the surveyor of the town before being handed over to the Corporation.

3044. Mr. Andrews.—That might be a very fit thing if it was made uniform to the entire borough, but it would not do to have an exceptional arrangement made for this district.

3045. Mr. Bates.—I have had a good deal to do with preparing leases of that property, and if the power of the Corporation was extended there without limit, it would put an end to building on that estate. Some have been building upon it themselves, and some have been setting it at a profit rent, but the general

feeling is opposed to coming into the borough; a great many of them look upon it as a foregone conclusion, and a great many have the opinion that if we do come into the borough we should come in on some fair and equitable terms, by which we should not be put in a worse condition than we are in.

3046. CHAIRMAN.—What is your idea about differential rating?—As long as we are not lighted and watched we would not have a police rate. We would have all the borough rate and half of the general purposes rate. I think it would be a fair thing that the district should pay for its own coverage.

3047. CHAIRMAN.—There must also be a coverage rate in the town, so that it would in fact come to a question of what the difference between the two should be.

3048. Mr. Bates.—The advantage would be that we would have it defined on the one hand. If we are brought into the general system of drainage for the town we would not derive any benefit from it.

3049. CHAIRMAN.—If the sewers were properly made in the town, and also in your district, and you were brought into the borough, the inhabitants of the borough would be paying in the proportion of say £800,000 against your £18,000.

Mr. Bates.—My idea is if there is to be a drainage system carried out for that district let it be borne by that district itself.

3100. CHAIRMAN.—That is to have a general rate for keeping up the streets of Belfast and the streets to be brought in, but that the drainage rate should be made separately.

Mr. Bates.—Yes, and excluded from the other; we derive no benefit from the general rates of the town.

3101. CHAIRMAN.—We have heard from Mr. Despard and others that the forebore is injurious, from the fact that it is said the deposit coming from the city is lost there. If there was a main drainage scheme that would cease, and would you not think it right that Mr. Clolland and his tenants, whose property will be thereby benefited from the money expended by the citizens, should contribute something either by a rate in aid or a certain fluctuating quota?

Mr. Bates.—I do not agree with the opinion that it is owing materially to the sewage of the town that that forebore is injured. I don't think it is in a bad state at all, and I don't live far from it, and if anything is injurious it arises from the fact that the sewage of Strandstown is brought down there, and not brought further out. I believe the drainage of Strandstown should be brought out into deep water.

3102. CHAIRMAN.—You are coming in daily to your business, and you know the class of gentlemen who live out there, you use the city every day for your business; is it not an immense advantage to you and your family that the nuisances, which are admittedly a disgrace to this great town, should be removed, and that the town should be made as healthy as possible?

Mr. Bates.—We pay our rates and very heavy rates in the town.

3103. CHAIRMAN.—This is sometimes lost sight of, are there not two classes, namely, gentlemen who come into business and pay taxes in the city, and persons who go outside to avoid the taxation of the city, and do not pay one farthing to the city, because they have no premises in it although they use it as much as you do. Don't you think they should pay something towards it?

Mr. Bates.—The class you refer to live outside and do not use the town. They are as a rule country gentlemen who do not come in more than once a week. I know plenty of people out at the Knock who never come into the town at all, and they might as well be living in Downpatrick. The only people who come into the town are the merchants who come in and pay rates already for their business.

3104. CHAIRMAN.—It is because there are such a number of residents in the city who pay taxes in the city, and have no residences out of it that the question

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Mr. Richard  
D. Bates.

FORSAKE.  
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D. Bates.

arises between them and the ratepayers who have places outside and inside.

Mr. Bates.—There is something in that, but I don't look upon it as very important. My opinion is that the Corporation use our roads a great deal more than we use theirs. The whole markets are supplied through our roads, and our roads are ruined by the carts which pay the city to the extent of £3,000 or £5,000 a year as they are. I understand that in Ballynascree the proposition was that the Town Commissioners should pay for the maintenance of the county-roads for a considerable distance, owing to the traffic of the town and the benefit it derived from the roads. The Town Council measure is carried out there, and all the produce of the country comes in.

3105. Mr. Overend.—It would be the interest of the city to declare these districts at once lighted and watched?—I believe it would, but I have not gone carefully into that.

3106. And that would be an expenditure of 1s. in the pound?—I heard Mr. Montgomery say so.

3107. That would set free this maximum rate and it could all be levied?—Yes. At the time we were going for the township I knew we were met with the objection, the Corporation lodged a memorial saying the district was nearly suburban villas and never would be a town, and for the next hundred years I am satisfied this will never be more than a conglomeration of villas. It is a matter for consideration whether it should be liable to the entire borough rates for sometime to come. My impression is that about 3s. county cess is the amount we are paying, and Mr. Montgomery said it could be lighted and watched for 1s. That was all we could get when we went for the township, and I don't think any person will deny the district would require something of that kind. I certainly think as we have been paying 3s. county cess, and as we could be lighted and watched for 1s., it might be a fair and reasonable thing if you recommended that for a certain period we should not be liable to more than that, leaving it open to the Local Government Board after inquiry, whether the district was in such a condition that it could be fairly and reasonably expected to pay more.

3108. CHAIRMAN.—Would you in addition pay something for sanitary improvements?—No. We would pay our own sanitary matters. We would benefit the Corporation for the great matter is to induce parties to go there and build, and they will not come there to build if they have this indefinite question of taxation over them. If people know that while they are developing their property they will not be liable to more than a fixed sum, and that afterwards they will have a voice in settling the increased rate, if any, it would increase the prosperity of that district, and tend to increase building, and thus in the long run the Corporation would be the benefactors. As long as we are not saddled unduly with rates I have no fear as to the existing debt of the Corporation.

3109. Mr. Overend.—What these people are greatly afraid of is that the Corporation having an interest in doing so may declare them lighted and watched and then raise the whole rates.

3110. CHAIRMAN.—Mr. Bates says limit the rate to 1s. for lighting and watching and don't let it go above that.

3111. Mr. Bates.—After a certain number of years it would be a fair thing for the Local Government Board to hold an inquiry whether this district should be made liable to more than this rate.

3112. Sir Thomas McClure.—That should be dependent on any expenditure on the district, and not merely holding over it the prospect of additional rates.

3113. Mr. Bates.—In considering that question I took into consideration this fact, that it will be for the benefit of the Corporation as well as the districts outside, if this district is brought in, that parties going to build and develop property on the outskirts of the future town, should have some idea as to the position they would be in, in the event of the Corporation

getting facilities for incorporating outlying districts, and I think it would be desirable that the parties should have some definite ideas as to the liabilities they would incur in the event of their property being brought in, otherwise it would interfere with the value of property outside instead of benefiting it.

3114. Mr. Montague.—As you admitted the evidence already given as applicable to this district of Ballynascree, we did not bring up a number of people who were desirous of coming, and I wish to lead in this movement from the people of Ballynascree. The townland lies in the same position as Knock and the outlying portion of Ballycloughan, that is to say, Stranstown comes directly between it and Baldoyle, the acreage is 375a. 7s. 2r., the population is about 300 in the entire townland, and as you are the number of houses is 31; the valuation in 1841 of houses and land was £1,331 10s.; the valuation in 1851 was £1,548 10s., so that there was an increase of £217 in ten years. It is in about the same position as Knock; it is about three English miles from the centre of the town, as to the value of the ground there are two or three fine sites, not more than three that have the commanding views of the sea; they are let at £10 an acre, but another portion and a larger portion is let at £7 to £7 10s. an acre, a further portion is let at £4 an acre and £3 10s., and by far the larger portion is let at £2 10s.

3115. CHAIRMAN.—Are these the rents paid to the head landlord?—Yes, these are the actual head rents.

3116. What profit does the middleman get?—I think there is little or no letting to middlemen for there has been little or no building. As to some of the evidence given here, I would like to draw a very considerable distinction between this place and Hydonham or Stranstown. Hydonham is a fine name applied to portions of Stranstown, and does not apply to Ballynascree, and therefore as to the sanitary arrangements, the sewers, lanes, avenues or private roads or lanes in no way applies to Ballynascree as there are no such things existing, the road through it is simply a county road.

3117. Mr. Robinson.—Was it included in the proposed township?—It was, but I wish to vote that nearly all the opposition to the proposed township arose almost altogether from the townland of Ballynascree, and also the entire of the meeting to oppose it with the exception of what Mr. Black submitted; thus showing that Ballynascree required no governing body whatever, we are quite able to take care of ourselves and I do not think there is any evidence before you that Ballynascree requires anything from the Town Council. I do not think the Town Council will attempt to show they require it for any purpose of sanitation, I wish to draw attention to the evidence of Mr. Dixon the only member of the Town Council examined here. He said he recommended the resolution of the Town Council as a matter of form. He was asked "Do you agree it should be extended to the extent pointed out by Mr. Montgomery?" and his answer was "I think it should not go so far into Hydonham." "Where in your opinion should it have stopped?" "I would have left out Ballynascree."

3118. In the event of this united district being carried out would you have any objection to contribute to the improvement of Stranstown?—I have nothing to say to Stranstown.

3119. You heard the resolution of the Board of Guardians that you should be united to Stranstown. We are an outlying district and we have nothing to do with Stranstown.

3120. CHAIRMAN.—But you heard the proposition of the Guardians to include you?—I think it is a very hard to include us when we do not derive any benefit and have nothing to say to them.

3121. Mr. Address.—In this portion of Ballynascree which is proposed to be included, what is the valuation of land and of buildings?—I am reading from the Valuation Office returns. £445 is the valuation of land and £287 is the valuation of the buildings.

Mr. JOHN CHAMBERLAIN, examined.

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Oct. 27, 1879.  
By  
Mr. John  
Chamberlain.

3153. CHAIRMAN.—You reside in Strandtown?—No, but I have resided there and I have some property in it.

3154. Are you in favour of having Strandtown annexed to Belfast?—As an inhabitant of Belfast and as an owner of property in Strandtown, I would be inclined to have an extension of the borough on terms.

3155. What terms would you suggest?—A differential rate; so that the present occupiers and owners of ground would not be unduly pressed by the heavy rates of Belfast, and only pay in proportion.

3156. Mr. Robinson.—Do you propose that that differential rate should extend over an indefinite time?—No, but that they should come in as an ordinary portion of the town when the streets become connected and all that.

3157. What do you say as to the number of years?—I would be unable to fix the time; it should be according to improvements; but seeing the map of the proposed extensions I think they are very unstarred they are so zigzag, and out of place. I think there should be something more approaching a circle.

3158. That would be next to impossible for the simple reason that we cannot split townlands; we must, if possible, get some well defined townland boundary?—Not precisely, but as near as possible to a circle; I have examined the survey and I find the roads form a natural boundary and besides it would take in a bad place which requires drainage very badly; namely the Bog.

3159. Mr. Robinson.—That would take in a place which would not be likely to be built upon?—But it would be of great advantage to the people to have this bog drained. (To Mr. Black).—Don't you propose to take in the Bog Meadows?

Mr. Black (Town Clerk).—We do.

3160. Mr. Chamberlain.—I propose a circle, or as near as it could be approached.

3161. CHAIRMAN.—The principle of extension appears to be to bring in building ground?—Still, for sanitary purposes, I think there should be a large extent taken in such as I have alluded to.

3162. What do you say to the roads in your district that are called Sir Thomas McCleave's private roads?—They are in a very bad condition. Some of them that pass through property I have there are almost a nuisance. They are almost impassable by carts. That was caused by some improvements he was making, and by some improvements on the Connemara. I am very willing to pay my proportion for the people on the other side of the road, but he would not do it. The roads are very badly constructed. I hold a kind of "no man's land," and there is no road at my place.

3163. Is that place held out as a building district?—This particular land could not be very much built over, because it lies below the level of high water, and there is extreme difficulty at present in drainage. At the present time there are two valves that drain that district into the Connemara. These two valves have to be opened at each tide. It is in a very bad state, and if the Corporation took it up it would be a great advantage to the people for the sake of health.

3164. Have the sanitary arrangements of the district been attended to at all?—I do not think they have. I saw it given in evidence yesterday that the sewage was put into the Connemara, and that will further injure the health of the district. The Bloomfield property lies south of my place, and if the sewage goes into the Connemara it will damage the property further north. Mr. Boyd in a speech which he made stated, on the 25th August, 1877, that the whole district was permeated with sewage. I will read from a report of a meeting held to promote the formation of the township for this district (Reads):—

"The Chairman said they must all be aware, from their own experience of the neighbourhood, that the roads and

pathways were in a disgraceful state, and particularly as in some of the districts—for instance, Lower Sydenham, where they were in such a condition as to be without a parallel in any place. This being the case, the residents in that locality thought it absolutely necessary that they should come together and consider how it was that, though they were paying an enormously heavy rate, over the roads were very badly kept. He (the chairman) did not wish to cast blame upon any one. He only pointed out what every one present had seen—namely, that the highways were in a disgraceful state.

"Mr. W. S. Boyd proposed the first resolution:—'That, in the opinion of this meeting, it is desirable to form a township in this district.' He would state the inducements which he believed existed for the forming of a township in the neighbourhood. The chairman had referred to the state of the roads, which was as he described, but if the district was formed into a township the residents therein would not necessarily have control of the roads. They would require the sanction of the Grand Jury for that purpose; however, there was a prospect of a change in the law which, if it came to pass, and that the township was formed, there would not be so much difficulty in getting the authorities to vest the charge of the roads in the commissioners of the township; and he would add that, whether they managed well or badly, they could not be possibly kept in worse condition than they were at present. (Hear, hear.) It was only a matter of time, and in his opinion a short time, when there would be a sanitary scheme introduced for that neighbourhood. They could not get on without a system of sewers. They were dependent on wells for water, and their district was being permeated with sewage. If the sewage scheme was brought forward the Guardians of the Belfast Union would have the carrying of it out. They would have the satisfaction of knowing that it would be the Guardians from the county Down districts who would have the bringing of it forward. There was another Board—a sanitary authority at which guardians from Whiteabbey and Whitehouse would have no hesitation in entering those who came from the county Down districts on subjects specially interesting to the county Down. With regard to the sanitary scheme, their position, as soon as the township was formed, would be that, when the population amounted to 6,000, they would be entitled to claim that the township should become its own sanitary authority. The population of the district was at present 4,500, and no doubt it would soon increase to 6,000. They could then make a sewerage system as they liked, and at what cost they liked; the latter item being, in his opinion, not at all unimportant, for he had no faith in the Board of Guardians, so far as their contracts, as far as their utility. He thought the guardians paid more in the expenditure of public money than would be paid by a private individual for similar purposes. The improvement in the state of the roads and the required sanitary system were the main inducements to be held out for forming a township. There was a prospect of the Belfast Town Council moving in this matter and seeing for power; not to take that district into the borough at once, that would be too large, and would throw them in for 3s. to the £1 taxation, but for power to absorb these into the borough whenever they liked. The effect would be as injurious to the district as if it was already in the clutches of the Town Council. He might state that even if the majority was in favour of the scheme, they did not intend to be tyrannical, and they would allow the townlands, and the residents of which did not wish them to be included, to be left out of the boundary line of the township. (Hear, hear.)"

3165. Mr. Boyd.—The sanitary scheme then proposed was for Lower Sydenham; it was never proposed to include Knock, Ballymore, Ballyhackamore, and other districts, and at a subsequent meeting it was expressly so stated; and at that meeting Mr. Chamberlain was present, and I stated that Lower Sydenham was a place that would need attention, so it was a district that required it.

3166. CHAIRMAN.—At all events, you must have thought the district was rapidly developing itself, for you say when the population amounted to 6,000 they could claim their own sanitary authority, and no doubt it would soon increase to 6,000. If the district was then permeated with sewage, has anything been done since to alter it?

Mr. Chamberlain.—Nothing that I am aware of.

3167. Mr. Ross.—I think you said you were not

REPORT.  
Oct 22, 1895.  
Mr. John  
Crawford.

resident in the district?—No; I live ten miles out of town.

3137. What is the nature of the property you possess in Stranstown?—About fourteen acres of land, held under three leases. One of the houses I built for my own residence, and I have let it on lease for ten years.

3138. What are the terms of the other lettings?—They are simply tenancies from year to year; and I have let one piece of ground.

3139. You say, in a letter of yours, that you had no notice of any of the meetings of landlords or householders to promote the township?—I got no direction.

3140. You got no notice?—Mr. Minge afterwards told me he had called upon me, and I remember the circumstance perfectly of his calling and mentioning there was to be a meeting, but I never thought that was notice.

3141. Were you a member of the township?—Yes.

3142. Were you for or against it?—I was the first person to initiate the opposition.

3143. You wrote a good many letters against it?—I did.

3144. And your argument was that you were opposed to the Town Council extending its district?—No. I understood the Town Council had no intention of extending there at the time.

3145. Why did you understand that?—I applied to Mr. Black on the subject.

3146. Are you the gentleman to whom Mr. Black wrote the letter of the 27th December, 1877?—Yes; and I believed that letter in spirit and truth was true.

3147. What did you believe was the effect of that letter—that the matter had not been considered at that time?—Yes, and it was upon the first of that letter I made the allusion in my letter that it was through a misapprehension of the affairs of the Town Council; and it was one of my arguments against the township, that the Council had no intention of extending its powers out there.

3148. I think you used the words "not going to get into the clutches of the Town Council"?—No; that was another gentleman.

3149. I think you adopted it?—I think I did.

3150. Were you in favour of the Town Council going out and getting all the powers over the district?—I had not considered the matter at that time. I always thought it was desirable there should be some power by which the condition of the locality could be improved.

3151. If the people in the locality could by law get power to have the abuses you refer to remedied, don't you think that would be better than if the Town Council came out there with their powers?—I think it would; and I stated that in one of my letters—that if the parties had applied for sufficient powers, and not merely for such paltry and little, mean powers, I would not have utterly opposed it. Their object was simply to levy rates, without any object to be attained.

3152. CHAIRMAN.—Did they not go in for the whole improvement?—No. Mr. Boyd said they would go in for everything, but in their application to the Local Government Board they ignored these things.

3153. Mr. Ross.—Did you take an active part in opposing the township?—I did.

3154. Were you not one of the most active organisers of the opposition?—I was.

3155. How much did you contribute?—I was relieved of expense, save £5 I paid of my own.

3156. Who contributed the rest?—Mr. Magennis was one of the largest contributors. I proposed to bear my proportion, but some of the gentlemen told I had given so much service that they would excuse me. I know Mr. O'neil was a contributor, and Mr. Magennis another.

3157. Could you name any others?—No. I don't know.

3158. Well, what you believe?—No; for what I don't know, I don't believe.

3159. Mr. O'neil.—You hold under a lease from Sir Thomas McClure?—I do.

3160. And there is a covenant in that lease about roads?—There is.

3161. That you will keep the roads adjoining the township in repair?—Keep portions of them.

3162. You have not complied with the covenant?—I am unable to comply with it.

3163. You have not complied with it?—I was unable to comply with it.

3164. Have you complied with it?—I have not.

3165. And the road at your place is out of repair?—Yes.

3166. And very badly out of repair?—Yes; portions of it.

3167. Your neighbours hold under similar covenants?—They do.

3168. And they are bound to keep their road in repair?—I complained of Sir Thomas not compelling his tenants to join me in keeping the road in repair. I am willing to bear my part.

3169. Have you covenanted already to bear portions of it?—I have.

3170. And have you contributed your own portion?—I have no control or right to put that part in repair, for I pay a sum for a right of way over another tenant's portion, and that is the avenue to my house, I have nothing to say to the road above that.

3171. Suppose you put this piece beside your door into repair?—There is no portion opposite my door.

3172. There are roads you are bound to keep in repair?—Yes.

3173. And suppose you repaired them, and then went to Sir Thomas McClure and said your other tenants have not repaired. Would you be surprised that the other tenants have complained that Mr. O'neil's is the worst part?—I do repair them, and I have complained, for when I went there it was in bad repair, and Sir Thomas McClure did more to put it out of order than any one else by the battery.

3174. And your little proposition is to extract a little money out of him?—No; I have written saying I am prepared to put my portion in repair.

3175. Why not do the whole of it?—I am not bound to do the whole of it.

3176. Wasn't the embankment there before you went there?—Yes; but the battery was not.

3177. CHAIRMAN.—It appears that when Mr. O'neil made the opposition, the promoters of the township answered his objection, and we were told that lighting was a matter not required at all, and that if they wanted to go about one lamp was all that was required. No. 4 in the statement on behalf of the promoters of the township in reply to Mr. Crawford is, "Lighting of the principal main roads is an absolute and pressing necessity, which will be rendered more urgent if tramways are extended to the district as now proposed." What is the meaning of representing now that light is not wanted? (Reads memorial from Stranstown to Local Government Board in favour of township).

3178. Mr. Ross.—Everything there we adopt except as to the roads. I suppose the people speaking there think they speak the feeling of their own district, and they hope you will give them a recommendation to get all they want without the Town Council.

3179. Mr. Weir.—You mentioned something about the meadows. Do you know the district well?—I do.

3180. Do you know how much of the bog meadow is within the boundary?—I do not.

3181. A large quantity?—There may be portions.

3182. Do you know how long it has been within the jurisdiction of the Corporation?—I have very little knowledge of the boundaries of the Corporation at all.

3183. Do you know that a large portion of the bog meadow which is now annually flooded has been within the jurisdiction of the Corporation since 1853?—I do not.

3184. Isn't the Bog Meadow drained into the Blackstaff, and the Blackstaff into the Lagan?—Yes.

3185. Then the incline will be from the Malone district towards the Lagan?—Yes.

3186. Isn't the portion held by the Corporation nearer the mouth of the Blackstaff than the portion now proposed to be taken in?—I don't know what they intend to take in.

3187. Do you know that the portion held by the Corporation is the portion close to the mouth of the Blackstaff?—It must be.

3188. Do you know that the flooding of the Corporation part and our part is caused by the neglect of the Corporation in not providing a proper exit at the Blackstaff?—I believe the Corporation have not done all they should have done, but about this particular case I don't know.

3189. Don't you believe it is by reason of the Corporation neglecting to provide a proper exit?—I believe it is partly.

3190. Don't you know that portion of the ground at present is drained into the Blackstaff?—I believe there is some drainage into the Blackstaff which creates a nuisance.

3191. Within the boundary?—Yes.

3192. Mr. Bates.—You know Ballymacarrett?—I do.

3193. It is not below the level of the sea?—I believe some portion of it is.

3194. Are you aware how the drainage is taken off?—No. Here is a memorial of the inhabitants of Strandtown, signed by the late Mr. Bushel, J.R. (Mr. Sullivan, his successor, agrees with me to annex on terms). In that memorial "the undersigned inhabitants of Strandtown have seen with alarm the proposal to discharge the sewage into Connewater." At that time what was a subject of grievance appears to have taken a fresh form, by the sewage of Bloomfield being put into the Connewater. If it was a nuisance for Ballymacarrett to be drained into the Connewater the drainage of Bloomfield into it would be equally a nuisance.

3195. Isn't the portion of Strandtown belonging to you considerably lower than Ballymacarrett?—Portion may be.

3196. You said portion of it was impossible to build upon owing to its being lower than the sea level?—That was Sir Thomas McCleave's portion.

3197. It is lower than the sea level?—Yes.

3198. Don't you think it would be almost impossible to construct a system of sewerage which would bring that sewage round by Ballymacarrett?—My view is that Mr. Hawbush's intention should be carried out, and that the sewage should be removed three miles out to sea, as at Brighton.

3199. Don't you think it would be better for Strandtown to have a system of its own straight out to sea?—I think that would be very expensive, it might be done by pumping.

3200. You believe it would be best done by carrying it out to sea?—Yes.

3201. You believe in differential rating?—I do. I think it would be very injurious to put the locality under the Town Council. I have confidence in them as a body, but I would not like to be totally under their care. It would be a terrible affliction, I think.

3202. Would you think it very hard to have to spend a great deal of money on your roads the same as if they were streets?—I heard your evidence, and I am quite agreeing with you as to the system that should be adopted.

3203. Mr. Overend.—Then we may take you as agreeing with Mr. Bates on the subject of differential rating?—Yes.

3204. Mr. Bates.—Sir Thomas McCleave does not quite agree in the evidence I gave respecting differential rating, and the limiting of it to a certain period. He thinks it would be better to fix the differential rating and then leave it open to the Corporation to show it should be altered.

3205. Sir Thomas McCleave.—My view is that we could in that district (and I have gone into a calculation) take charge of the roads, and light and watch them for the limited rate mentioned of 3s., and I would raise no question of any revision; if of course it would be open in the course of years, if any extra work was done beyond our present requirements to reconsider the rating, and whether the district should not bear that; but I would not make any suggestion, unless it was very far off that there should be a revision, for that would be most injurious to the ratings. No man would take hold with the chances of a projected revision within any short term of years. He would not build. For my part if an idea was left of any revision which would amount to a suggestion that we might come in for a larger rate, I would oppose incorporation entirely. It is the holding over that does the injury. For instance the holding over of that question of lighting and watching, and putting on an additional rate of 4s., where only one would be spent, has given a complete upset to the value of the property.

3206. Mr. James Fair said.—I appear on behalf of the ratepayers in the Lower Malone, Ballynashilly, Ballydownline, the southern district proposed to be enclosed on the county Antrim side. That was dealt with by Mr. Montgomery, as No. 2, and I am instructed to oppose the extension there altogether. I do not intend to go over what has been given on behalf of the Strandtown district in so far as it relates or has the same considerations that have been stated as to the other districts which it is proposed to include. For that reason I omit all reference to the question of roads already made in our district the same as in the case of Strandtown; and I merely ask the Commissioners that if ever they come to deal with that question in relation to the districts that I represent, they will deal with it in the same way as they would deal with the district of Strandtown. I also omit all reference to the question of differential rating, for I could not add anything to the observations already made on that subject, and I do not think I could add any evidence in support of the case made by the Strandtown district. And I will ask you to bear in mind that both the observations and the evidence apply with equal force, or I might almost say with greater force to the district that I represent. And in order to save time I would ask that when the question comes to be dealt with the Malone district be dealt with in the same way as the Commissioners think Strandtown should be dealt with. I submit that this district ought not to be included in the borough at all, and I shall show you the reasons why. Even according to the belief of the Town Council themselves this district should not be included. They have said that they do not think it should be included, and I may state at the outset that the memorial of the people I represent is signed by every single ratepayer proposed to be included in that side of the town. The names are set out in this memorial (see Appendix No. 10), the number given, and the residences of the persons who signed, and I believe I am right in saying that there is not a single person in the district who is even neutral on the question; but everyone is decidedly opposed to any extension there at all. In addition to that, in order to show that the objection is not raised by ratepayers living outside who pay no proportion of town rates, I may say that the opposition is by gentlemen who are much interested in the town itself, and pay in some instances up to ten or even twelve times as much rates in the town as they pay outside it. We have a list of those inside and those outside the town who are interested in this question, and the general result is that the valuation they pay outside the town would be £1,400, while the valuation they pay in the town itself is £7,840. Therefore it cannot be suggested that those are persons who desire to escape town taxation, but who are willing to avail themselves of all the advantages of the town, while they pay nothing

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Mr. John  
Cassidy

Mr. James  
Fair

Excerpt  
Oct. 25, 1913.  
Mr. Town-  
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whatsoever towards its expenditures. They are all persons, as I have said, who are paying for houses in the town which they do not occupy, and the valuation of which is a little more than three times the amount, they would be paying rates upon in the Malone district if they were brought within the borough. I may direct your attention to one or two cases to illustrate the full force of what I have said. One is the case of Mr. Jew, who if included would be paying an £184 outside the district; he now pays on the premises he uses in the town, on a valuation of £587. Mr. Thomas Lindsay, who is a long time a member of the Town Council, would be paying on a valuation of £104 outside, and he actually pays at present on the premises held by him in Belfast, on a valuation of £1,450. Mr. Belluck would be paying on a valuation of £15. He now pays on £100 in the town. Mr. Conry, one of the members for Belfast, who is entirely opposed to the extension pays in the town on a valuation of £613, while outside he would only be paying on £310. Mr. Robert Anderson, pays on £383 in the borough, he would only be asked to pay on £35 outside. Mr. Abraham Cohen pays an £1,117 in the borough, and his valuation outside is £156. A great number of others that I have marked are paying on the same rates, and I think I am justified in saying that the statement that these gentlemen are taking advantage of the town without paying for it is illusory. And if the question is to be considered as all it cannot be dealt with as if these were persons exempting entirely their property of the taxes of the town. But then the question comes whether this district ought to be included, and I presume the Commissioners when dealing with that, will act on the principles already recognised by the Parliamentary Committee, in dealing with similar questions elsewhere. The warrant under which you are sitting gives you full power to inquire on the evidence as to the whole question of extension, and it gives you almost unlimited power to make a recommendation that a place should be included or not, and the terms on which it should be included, and it empowers you to inquire by the evidence of persons on the spot, as to the advisability of the extension and the terms on which that extension if at all should be made; but what I respectfully submit to you is this, that on no principle which Parliament has ever recognised, would you be justified in including a district situated as the Malone district is. On what principle has Parliament gone when they brought in a district into a larger town? I find no trace of any suggestion in promoting a Bill that the outside district ought to be removed, because the town is well-lighted, well-watered, or because the town is about to carry out certain works of improvement. The cases in a case of this kind rest on the body that seeks to unsettle existing settlements. The reasons given by Parliament for rejecting applications of that kind, where it is sought to add to the imperfections, or remove of the town, merely, or where it is not very necessary to the parties concerned—these principles are stated very prominently in a pamphlet of Mr. Browne's, which appeared lately in the *Law Magazine*. Therefore so far as the Town Council wish merely to add to the imperfections of the town, or to augment its removal, or so far as they cannot convince you that it is for the interest of both the town and the district to be annexed—that the union should be made—then according to the known decisions of Parliament, this application should be rejected. But upon what principle has Parliament acted when they gave the extension? First on the ground that it has been urgedly called for by all the parties; that has always been considered and it is so stated by Mr. Browne; and secondly on the ground that the annexation is for the benefit of all the parties concerned, and the general good. For as to the notion of a rate-in-aid being used as an argument for extending the boundary beyond existing boundaries, no such argument as that has ever been pressed on a Parliamentary Committee, and certainly no such argument has ever been acted on by a Parliamentary

Committee in extending the boundaries. The question of that is all these extensions—and it is a question of fact—is whether or not the district proposed to be included is a rural or an urban district; what sort of authority it has, what sort of authority it stands in need of, and whether such authority cannot be obtained by any other way than by uniting the district with the town; and even the towns were economically then any other body furnish that conviction that they want And Parliament has never extended the extension in any district where it has been shown that the district was capable of providing for itself, the duties it was proposed to do for it as cheaply or more cheaply than the joint town could perform them. And there is a statement in Mr. Browne's pamphlet to which I have to draw your particular attention, for it brings out the fact almost at once or twice in the course of the consideration of the witnesses here, and which you will find, when you come to examine into the evidence, to be the fact which forms the foundation of all extension. It is at page 68 of this book, and he says that "in considering the question of borough extension you must remember that there are totally different laws for the town and county, and that it was the intention of Parliament, as indicated both by its public and private legislation that the county districts should be retained generally in quite a different way from the town. There are a number of distinctions between rural and urban districts, which point to a necessary difference in legislation with regard to them. The congregation of numbers of persons in the same place brings the question of sanitary arrangements, police supervision, lighting and cleansing into a prominence which they do not deserve in a place of sparse population. As for sanitary matters the county is itself a great Sanatorium, and as for lighting, the county does very well in the dark; and although the services of the police are not dispensable in the rural districts, they are not so indispensable as in the hearts of large towns. These facts point to the difference in the expenditure necessary for the proper supervision of county and town districts; and Parliament has recognised that by giving very different powers to the authorities who have the management in urban and in rural districts. The fact that the Urban Sanitary Authorities have much larger powers than the Rural Sanitary Authorities shows that it was intended there should be a distinct form of government for the town and for the country, so that the primary question is whether or not the district, which it is proposed to include, is able to provide that proper government which it is urged here is necessary. If they can, there is no ground whatever for the interference of the town. The town is bound to show that something is needed in the county district, which the district cannot do for itself, and you will find an investigation into the facts of these districts, that the suggestion that the Town Council would be able to do everything so much better than the districts themselves, are mere idle suggestions, because they are not by that initial distinction between the two places; that it is not a question of absolute better or absolute worse, but rather as to the most suitable to the place to which it is proposed to apply the regulations. But it is said that the county district ought to be included, because it gets a benefit from the town. It would be impossible to apply that principle, and in addition it would be an unjust principle. Supposing the town for its own convenience chooses to light itself well, is the county district to be made pay portion of that expense? Supposing the owner of one large shop chooses for his own purpose to illuminate his shop front, is his poorer neighbour who does not want any illumination at all to be asked to contribute a portion of the cost on the ground that he derives some advantage from it? There would be no limit to this. The town derives advantage from the county, and the county from the town; the advantages are reciprocal, and it would be impossible to show which preponderates; and if that be urged as any ground for legislation I fail to see how it could be avoided of at



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all. There is some force in this,—it might be said, "Is it not an advantage to the people in the country, who occasionally come into town, that the town should be properly drained, and that large streets should be macadamised?" Of course it is an advantage, but the question is whether that is an advantage that they ought to be compelled to pay for. According to the memorial I have handed in, the people who derive that advantage pay for it very largely already. But is this to be said, that because the town of Belfast has for years neglected the first duty of a Corporation, because they have allowed the Black-stuff to become poisonous to the public health, because by not exercising the powers they possessed, they have allowed a mass of low premises, injurious to health, to accumulate in the middle of the town, because for their own sake they are bound now to undertake the duty which should have been performed years ago to clear the Black-stuff, and remove those houses which never should have been permitted to exist; because they remove a nuisance from their own premises, is the country district to be compelled to pay a portion of the cost so incurred? Take a similar case applied in private life. Suppose I allow portion of my premises to become dilapidated, and that in consequence my neighbour's premises are injured; suppose that I allow a nuisance to exist on my premises, which may be injurious to the health of the persons coming to visit me, and I do not undertake to remove those things, and do that at considerable cost—a larger cost than would have been necessary if I had done my duty at the proper time—am I to call upon the people who come to visit me to pay part of the expenses? Or if I have a shop, and people come into my shop, or my neighbour who lives next door is injured by a nuisance there, is he to be compelled to pay portion of the expenditure I may incur for removing it? What is the difference between these cases and that of a great town neglecting its public duties, allowing itself to be surrounded by nuisances of a most fearful kind, allowing districts of the town to fall into such a condition that no one with safety to health and without danger to life can venture there. The Corporation at last perform their duties, and they wish to compel the people outside to undertake part of the expenses entailed in so doing. Therefore so far as the suggestion is made that because some benefit arises to the people outside by keeping the town healthy, that ought never to be made a reason for making the people outside pay a portion of the cost. Where would that stop? It is of great advantage that cholera should not be brought to this country, and that it should be stopped before it reaches us, but are we to pay portion of the cost of looking after the mowing of St. Peterburg, where if they made proper sanitary arrangements they might turn aside or retard the progress of the cholera altogether? That is an extreme case, but it only shows the principle on which legislation should proceed. It is idle to suggest that the putting of the Town Council's own house in order is to be made a claim on the people who had no share of the blame of allowing it to get into disrepair. Perhaps I am wrong in saying they put forward that argument. Mr. Black certainly did not, for his idea was that for no purpose of raising taxes for the town should the town be extended, and that is a fair principle. It has been affirmed by several authorities in Parliamentary committees that if the town is in such a condition as to demand a rate in aid from the county that the county should be called on to assist the town, but Mr. Black goes on this principle that the town should not be extended for the purpose merely of taxation, and that principle I adopt. The only person to whose evidence I can trace any suggestion at variance with that principle is Mr. Montgomery, whose evidence is about the wildest and most absurd ever submitted to a Commission, which is dealing with rates, interests, and dealing with interests reaching far beyond the present, and affecting injuriously, as I will say, districts in which large sums of money have been expended, and which would have the effect of reduc-

ing the value of property in these districts. The only thing he has suggested as a reason for this extension is on the principle that people who earn their bread in the town should contribute to the taxes of the town, and he even went so far as to say that a gentleman who had spent a great deal of money in the erection of houses at Bangor, but who happened to make his money here, would only be doing his duty in sending a handsome cheque to the Town Treasurer, because he made his money in the town and lived out of the town. I ask you to consider on the evidence where is there any trace of a suggestion from anybody except from Mr. Montgomery, who would turn it not into a tax upon property but upon income. The principle is that the man who earns his bread in the town should contribute to the support of the town. If he earns £1,000 he is to pay no more or less than the man who makes £30, and lives outside the town. That argument so far from affording any reason for extending the borough by including the districts adjoining it, would apply to any place where these persons went. On the same principle it has been suggested that Mr. Bruce, Mr. Andrews, and myself, who earn a good deal in this town, should pay something towards it, although we live in Dalziel, and that the Corporation of Belfast should send up to see what class of house we live in, and set a tax on it for the benefit Belfast has conferred on us. It has been said also that in some cases it would be convenient to drain the two districts together, and that that is a reason for uniting them. I need only refer you to page 80 of this book again in which Mr. Brown lays it down beyond all doubt, that the mere convenience of combining the systems of drainage is not sufficient. It would not be reasonable to expect the people of Malone to agree to be united to Belfast for general purposes, merely because they need a common system of drainage, which I may say they do not even require. And it would be no more reasonable to ask that, than if two persons living opposite each other wish for convenience to make a common sewer, that they should not only contribute to the expense of that sewer but go into partnership in the business that they may happen to carry on. Parliament has recognised the possibility of a case arising where the drainage, and nothing else, ought to be united, and therefore it cannot be said that the mere convenience of drainage is to be a reason for extension. In our case we cannot have the same system, for in Belfast there must be a separate drainage district. It has been proved that three of the drains meeting at three of the main roads extending up our district cannot be continued twenty or thirty feet beyond the borough boundary in consequence of the inconvenience of carrying them into the borough at all. I only allude to that for the purpose of showing that the drainage cannot be made use of as an argument that we in the Malone district should be added to the borough whether we are willing or not. The only ground so far as I can see on which the Corporation witnesses have proceeded is that the ground may likely be built upon. There is only one case so far as I have been able to observe where this fact has been considered at all, and it is in the case of Glasgow. If a district is likely within a reasonable time to be covered by buildings which would require urban as distinct from rural superintendence, that is evidence which I admit should be considered in considering whether there should be an extension or not. And I think it will be found in the Glasgow case that the buildings which they contemplated as being erected were buildings of the same nature as existed inside the boundary, namely houses that required urban as distinct from rural superintendence, and in that case it might be considered whether the town authority ought not to cover the ground likely to be occupied in that way. But it would be no reason at all for extending the boundary to places likely to be built upon if the houses likely to be built were not of a kind similar to those within the borough and not requiring the same

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kind of superintendence. It will be shown as a fact which already appears from the evidence of the Corporation that this is a rural district covered to a very slight extent by houses at all, occupied principally by large farmers and which never could have the kind of superintendence the Council would give without utter ruin to the property in that district. I quite agree with a great deal that has fallen from the Chairman as to the weight to be given to evidence of consent or non-consent. I take no extreme view on that question at all. I do not believe that non-consent in every case is to be a reason for refusing to extend; because if it was, as the Chairman properly observed, it would be a question of voting, and not a question of considering the general advisability of the case; but I am right in stating this as the result of the authorities, that the greatest possible weight is to be given to non-consent—that where the most powerful reasons do not exist for extending the borough, the district proposed to be included should not be included. Reasons of a military nature or connected with the preservation of the public peace—that unless in fact the district is a nuisance in itself, and a cause of injury to the town—evidence of non-consent ought to prevail, and the districts ought not to be included. I can quite imagine if a district is covered with nuisances from which the health of the town suffered, or if a district was haunted by improper characters whose residence there was injurious to the town—or some ground of that kind, I can well understand that Parliament should intervene for the purpose of saying, “this nest of disease or disorder ought to be extinguished, and if we find that the only way of extinguishing it is by extending the bounds of the borough, we will extend it whether the inhabitants wish it or not.” But if a district is healthy in itself, is peaceable and quiet, and provided with the means of doing for itself all the town could do for it, then, I say, there is no case in which Parliament has overruled the opinion of the district and said, whether you will or not, you are to be subject not merely to the same authority, but to the authority of the town adjoining, the regulations of which are utterly inapplicable to the circumstances in which you are placed. I need not refer you to the case of Glasgow in 1875, and Bolton in 1876, where the dissent of the people was allowed to prevail, and the committee went so far in the Bolton case that they even refused to bring in some districts in which it did not appear that there was any dissent at all. And in the Bolton case districts that were asked to be included were struck out. The Glasgow Corporation that was always trying to get extension against the will of the people, at length came for extension; with the will of the people, and the last once they had before Parliament showed that without the consent of the people they could not get those districts included. In the consent of the people to weigh for nothing! In this case they are unanimous in opposing the extension. Have the Corporation made such an overpowering case that for the public health these people should not be allowed to have any opinion of their own in the matter? It is for you to say whether they have shown this or not, and whether there is anything which the Corporation proposes which we cannot do for ourselves, and at less expense than the Corporation would charge for doing it. I do not press the argument of consent further than this—that in the absence of overwhelming public interest, consent must prevail, and I say that the principle is supported by all the cases cited by Mr. Brown, and that case which Mr. Ross produces of the Glasgow Committee this year. Therefore, I say that these people should be allowed to control themselves, and that the Corporation have failed—as I think you will be of opinion—to show that there is anything injurious to the public health which the people there cannot remove for themselves. The next question is—who is in favour of this extension? His question is—any memorial in its favour? You have invited the people who are in favour of extension to come here

and to give evidence in support of it. Where are they? It is not they have been taken by surprise, for they have had several months to consider whether they would propose it or not. No memorial has been presented. No citizen of the town except two Corporation officers and one member of the Corporation have come forward, and the member of the Corporation gives very shaky evidence in support of the proposal. If there is any grievance by these people outside having all the advantages of the town, where are those who complain of the grievance? Is it to be supposed that the Belfast people do not know their own interests particularly well? They are not usually slow in coming forward to advocate their own rights; and is it to be supposed that they would not be here if there was a particle of validity in the suggestion that these persons on the other side of the town should pay for the town's improvements. There is no public meeting and no witnesses produced, and the Corporation have let their case go to you chiefly on the evidence of Mr. Black and Mr. Montgomery—evidence which you would deal with very soon if left alone. It is said that the Corporation have approved of the proposal—fifteen having voted in favour of it, and only five against it; and the Corporation must be held to have handed over their business, and to have instructed their officers to come here, but this is a matter on which we have a right to have the opinion of the Corporation themselves. They send their officers to give evidence, but they do not come to attend to give their reasons for taking this step, and I will show from their own statement that they could not come here with any show of consistency to defend their action. The circumstances of this town have not materially altered since 1877. It has been a time of great depression. There has practically been no building going on outside the town, and there has certainly grown up since 1877 no suburb urgently demanding the superintendence of the Council. Therefore as things were in 1877, they are substantially now. What was the opinion of the Corporation in 1877? It never entered their heads that this great grievance existed, or that the expense of half the town should be borne by the country districts. Before the Parliamentary Commission in 1877 seven witnesses were examined on behalf of the Corporation, and one of these was Sir John Preston.

3207. CHAIRMAN.—Don't say “on the part of the Corporation.”

Mr. Fair.—They were the only persons there on the part of the Corporation, at all events. They went there and expressed what I am correct in saying were the views of the Corporation at that time. What was Mr. Black's view then? It was against immediate extension. His opinion of it was not that any district should be taken in for the sake of drainage, but that some permissive powers should be given to the Local Government Board at some other time when necessity arose, which did not then arise, which had not then arisen, to annex the district; and which, by his evidence, he admitted were not applicable to the district then existing.

3208. CHAIRMAN.—And the Committee do not appear to have adopted his view, or this Commission would not now be sitting on the subject.

Mr. Fair.—That does not affect my argument, which is this—that, so far as the Corporation themselves are concerned, they have no faith in this scheme. They never believed these districts ought to be added to Belfast, and they have shown it would be unfair and unjust to add them at the present time. Mr. Black, when asked as to whether there should be extension, said, “My own opinion is that in any change of the Act there should be power given to the Local Government Board to make inquiry periodically, and to make extensions when required. I don't believe it would be desirable for the Corporation to have that power inherent in themselves.” That would give the Corporation a chance of throwing their net round the whole suburbs, preventing any one else coming in,

and not to light or watch it until it is in the pleasure of the Corporation; thus acting on the principle of Mr. Montgomery in making extensions to see whether they would pay, first taking care that no other person should interfere with them. What did Mr. Preston say, who knew the town as well as Mr. Black or any one else? He was perfectly independent, and a member of the Corporation; and if the town was suffering these terrible inconveniences, he would be one of the very first to cry out against them; yet what did he say? "The town of Belfast has increased, and no doubt has been increasing very much; and there may be some localities which it may be necessary to include here-and-there, but I don't think it is the time to do so yet." That was in July, 1877. What has happened since to call for the addition of districts which he declared then to be utterly unnecessary, and which he proposed to meet by the permanent extension referred to in the evidence of Mr. Black? Therefore, in 1877 there is no member of the Corporation who suggested to the Parliamentary Committee that there should be extension at all.

3309. CHAIRMAN.—The Parliamentary Committee say it is stated that the boundaries of Belfast amongst others require extension.

Mr. Wile.—By whom is it conceded? You are not to assume that because your witness says it is conceded, the people of Belfast concede it. I am trying to show that the Corporation of Belfast don't believe in it themselves. If they said, We believe there ought to be extension, but we have not power to do it, they would have some case; but they say they don't think there is any extension necessary. The Corporation that now complains of the grievance which the town suffers never thought of them in 1877. When did it occur to the Corporation that the town suffered any injury at all? So far as I can see from Mr. Dickson's evidence, it did not exist at the time of the proposed township of Strandtown. You remember the letter written by Mr. Black, in which he declared, on the 17th December, that the Corporation had never contemplated extending the boundary in that direction; and to show the *bona fides* of that statement, he made this statement of fact—that when the Corporation were preparing their Bill of 1875, the question had never been so much as considered. I admit the Council had no power at that time to extend; but how could they not doing it at that time be used by Mr. Black as showing they had no intention of doing it at all? He says it is a misrepresentation for any one to say we intended to take you in at all. That letter was written to Mr. Christie for the purpose of showing the people of Strandtown the Corporation never had any intention to include them in the town; and I am entitled to use it to this extent, that Mr. Black stated what he believed to be true. The Corporation have not expressed a decided opinion on this question at all. What have they done? They have never decided, from their own knowledge, or upon any evidence of Mr. Montgomery, that these extensions are judicious. It appears your letter set them in motion. It was referred to the Law and Improvement Committee. They met and expressed no opinion whatever on the subject. They referred it to Mr. Montgomery, to see what he could do about it. They gave him no instructions as to the districts to be included; they left it to himself; and they adopted his report, and sent it forward. No member of the Corporation who approved of that report came here to tell you why he approved of it, and the whole thing is left on Mr. Montgomery's evidence. The people outside had no opportunity of discussing this question, for even when the Committee had made up their mind as to what they would recommend, and the proposal was made that the report should be laid before the Council, it was rejected by the casting vote of the Mayor, and they resolved to deal with the subject in committee. The Corporation did not seem to think they were labouring under any disadvantage at all; the whole thing commenced when your letter came. The Corporation Committee have not expressed

any independent view, and they have not come here to support their officers. The people only became aware of what was proposed to be done four or five days before the inquiry opened. Until the 1st of August, 1875, they did not permit a single ratepayer to know what they were going to do. I am told some map was hung up somewhere showing the proposed extension. I wonder was it advertised that people's rights were about to be interfered with in this way? It is utterly ridiculous to say there was any sufficient intimation of what was about to be done. Don't misunderstand me as complaining of the notice given by the Commissioners, which was perfectly sufficient. I complain that the Corporation acted on the report of their officer without expressing any independent opinion about it. They kept the report from the public, and then sprung out on the people who were vitally affected. Mr. Montgomery only acted on one principle—would the extension pay? What becomes, then, of the suggestion that these districts are such that, for the sake of improving them and the town, they must be included in the town? It is manifest the only question considered was one of pounds, shillings, and pence, and how far extension could go without injury to the town, without considering whether or not the place required it. Mr. Montgomery doesn't like to be pressed to take in more than 60 per cent. of additional area, and he says he designed the extensions so as, if possible, to make the income and expenditure balance one another. Remember, the Corporation can merely point to what he has done, and Mr. Montgomery goes on the principle—I will take in a district, not because it requires it, or the town will be benefited, but I will just see how far I can make the income and expenditure balance one another. He is willing to leave out some places because they won't pay, and he is willing to take in some places also if it will pay. Therefore the Corporation come before you saying, this proposal rests on a financial basis, and no other. What is that basis? A mere illusory collection of figures by Mr. Montgomery himself. He has given you the proposed income of these places, and the proposed expenditure according to his own view, and those two very nearly balance each other. But you will ask do the Corporation propose to spend all this money on these places? Not a bit of it. Are they willing to commence to light and watch the whole district, and so increase the expenditure? Not at all. They refused to do anything of the kind. They refused to be bound by any guarantee to light and watch any of these districts. They will do so when they can with safety to themselves on the principle Mr. Montgomery has adopted, when it will pay, and when they can put money into their own pockets by so doing. Therefore this proposed expenditure is an expenditure which will never be made until the Corporation can make a great deal more income out of the places than they now propose. The Corporation say these districts require to be lighted and watched, they are suburban districts with a great number of houses that require our superintendence, but do they propose to do what is their duty towards these districts? No. They propose nothing that is not done at present by the Board of Guardians. They propose to take the means of shutting out other people from lighting and watching these places and reserving to themselves the power of doing those things when it suits them according to the income they get from the district to be lighted and watched. The fact that they refuse to light and watch the districts is evidence that they don't believe in their own reasons. These districts have not been stated to want either lighting or scavenging or anything else. There is no statement from themselves that they do require these things, and if the Strandtown people have made a case that they require them, and now say they don't, they must meet that case as best they can. We, however, are in this position. We say we do not require any of these things, that anything we do require we can provide for ourselves, and at a far cheaper rate than the Corporation propose. I distinctly asked Mr. Montgomery

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Witness

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would be undertake that the whole district should be lighted and watched, and he would not, and I asked him to fix the limit of the time within which it would be lighted and watched, and the only thing he said was that it should be left absolutely to the discretion of the Council. Therefore the Town Council, in respect to Malene is in this dilemma—there either they don't want lighting and watching, or, if they do, the Corporation is prepared to neglect its duty until they get more out of the district than the district is likely to get out of them. There is no case made for lighting the Malene district, or for draining it, the only case made is that in some respects it resembles Strandtown, and that it requires some regulations as to buildings. We know the Poor Law Board have full power to make regulations as to buildings situate in a country district which would be far better than any regulations in the town. It is a remarkable fact that neither Mr. Black nor Mr. Montgomery thought it necessary to state anything about Malene at all, and it is only by a sort of resemblance to Strandtown they ask you to consider it should be assessed at all. We heard a great deal about Strandtown, and about these people having asked for a township for themselves, but they have nothing of the kind to say of Malene.

3210. CHAIRMAN.—If the statement in the memorial is true that it is purely a rural and agricultural district, no one could think of bringing it in.

Mr. Weir.—The evidence on which you are asked to find it is not a purely rural district is the evidence of Mr. Montgomery. What does he say? "There is no town. There are a few cottages there—that is all. It is entirely a rural district. It is a very nice district, and improving." You are asked to find in the face of that (the only witness for the Corporation on the point), that he is mistaken that when he says it is a rural district you are to find it is an urban district, and bound to have urban regulations. Nothing could be more injurious to a district than to be dealt with in this way. The Act of 1853 gave the Corporation an enormous extension of area. Nothing was said in that Act as to its being lighted and watched at the time, but the Act of 1846 being incorporated with it, the Corporation obtained power to declare portion of it lighted and watched as it became convenient—that is, according as it might pay, as Mr. Montgomery says. How has that power been used? It was eighteen years before the last of these districts were declared lighted and watched, so that for eighteen years the Corporation had the power hanging over the other districts, ready to come down upon them. In the same way, if these districts are to be included, it would be far better that they should know their liabilities at once rather than have the Corporation sweeping down any time they like. Just consider what the effect of such a power would be! Suppose a man takes a piece of ground in a district not declared lighted and watched. On what basis is his contract? Can he tell when his taxes may be increased, or when the district will be lighted and watched? It depends on the Corporation at any time it pleases to say—No matter what contract you may have entered into with your landlord—no matter what basis you have adopted in deciding what you would pay at rent or otherwise—we will come down upon you. What will be the effect of that? Contracts cannot be made because the basis of them is removed. No doubt Parliament has great power, and if they think right they can alter the basis of contract, but that is not a precedent to be followed in this case. There is great difference in saying that Parliament shall disturb taxation in a Parliamentary way, and upset contracts by such an arrangement as this. That is very unlike a Corporation that goes on the principle of leaving the option of saying that in a particular district a man's property is to be liable to certain taxes without notice to him. The uncertainty of the amount of the poundage is a very different thing, and can be taken into account in contracts; but the uncertainty as to the period when 3s. 11½d. may be

added to the rates cannot be calculated. Such a power would be ruinous to the improvement of the district, and the effect would be to drive people outside the extended boundary altogether, because there at last for a time the people would be free from this power on the part of the Corporation to unsettle all their contracts. In the second place this would introduce an element of great uncertainty into all the dealings with land in the district, and, therefore, must injure it. The fact of the Corporation undertaking to watch and light the place at some time or other prevents the people perceiving that duty for themselves, and until the Corporation choose to light and watch the district it will be in a far worse condition than if the Corporation was not there at all. At present in the district not lighted and watched there are numerous large & the gates. Who is likely to do that if the Corporation have power at any time to come in and say—"We will unsettle all you have done; put up a few lamps on our own account and charge you 3s. 11½d. in the £ extra." Therefore, nothing could be more injurious than to give this power to be put in force at any time the Corporation choose. What is it the Corporation ask them to pay? The moment the district is added, even without lighting and watching, it becomes liable to all the debt of the Corporation—£35,612—for the debt on the general purposes rate, poor rate, police rate, and the burial rate. The general purposes rate debt is £28,922 7s. 1½d.; the poor rate, £2,050; the police rate £3,709; and the burial rate, £1,000. The general purposes rate, of which the Malene district is asked to undertake its share, has been spent in the drainage districts within the borough of Belfast. The Corporation up to the extent, as I understand it, of the general purposes rate, can borrow money on the security of it. They have borrowed nearly £29,000, which they have spent on the drainage of the borough district at the very time we have been drawing on our own account. What they propose is that at the commencement of the partnership we should have portion of the cost which enabled them to perform their duty. Although it would be perfectly fair that in a district like this the debts should be equalized, still to make a district which is urban with a district which is not urban, and make them pay alike, would be unjust. If Belfast was exactly like the district which is asked to undertake its liability there would be a great deal of force in the argument. If Belfast has spent, and must spend, a great deal more than the district outside, then it cannot be said that the district coming in is merely to get portion of the debt of Belfast handed over to it, with the possibility of greater debt in the future.

3211. CHAIRMAN.—Mr. Montgomery says the drainage of Malene should be separated, and that it should be paid by the whole borough.

Mr. Weir.—No. Why are we to pay for a drainage system which costs £600,000, while our drainage only costs £40,000? Not only that, but the actual and prospective debts to which this district may be subject long before it is lighted or watched at all would amount to between £200,000 and one million. What applies immediately may amount to 2s. 6½d. and in addition to that they may tax them to any amount for special rates, while the sanitary rate is unlimited. Therefore, the moment the Corporation choose to declare this district lighted and watched not only will the district be liable to that 2s. 6½d., but to the 4s. 4d. or 6s. 8d. full rates, and will be further liable in conjunction with the police rates to the whole amount borrowed on the gas account. It may be said there is a great deal of property to meet this. That is no reason for our being included. We don't want this partnership at all; we might find it a losing concern in the end. Being such a district as we are we do not want to run risks. There is no precedent for doing this.

3212. Mr. Robinson.—What of Derby and Blackburn?

Mr. Weir.—That was where the places assessed

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were similar to the towns, but no one ever heard of taxes being imposed because a few villas have been erected, and the whole of it occupied substantially by farmers. I have already called attention to the element of uncertainty that would be introduced. The Corporation would have an almost overwhelming indictment to declare the district lighted and watched before it needed it, for the purpose of raising more money out of it. They say at present they are not prepared to light and watch it; they are prepared to do what the county does for it, and they may at any time subject it to the higher poundage rate. Look at the items given by Mr. Montgomery. He estimates the cost of watching at £250, and lighting at £399. With respect to the watching he says that is a waste of money. The place is adequately watched at present, but he makes no deduction from that. Even supposing he is right in estimating the extra expenditure at £543 the result is that the Corporation by expending at the rate of 1s. 3d. on the valuation in lighting and watching would be able to subject the district to an extra tax of 5s. 11d., and that by merely declaring it lighted and watched. Even after spending the 1s. 3d., they would have 2s. 8d. remaining as profit. With an expenditure of about a million in prospect it is not too much to suppose they will make those people pay a little more to enable them to do what they should have done long ago. I refer you to the utter neglect of the Blackstaff which they now propose to remedy at a cost of £70,000. That they could have remedied long ago at perhaps one-fourth the cost. They have neglected the sanitary wants of the district of Millfield; the only remedy now is to sweep away the district altogether; that must lead to an increase of rates and that increase they can lay on us by declaring us lighted and watched.

3213. CHAIRMAN.—Suppose the condition of Belfast is poisonous, would it not be of advantage to the villa owners at Malone, who come into town every day to have that remedied?

Mr. Weir.—To be sure it is an advantage, but if a nuisance exists in a shop which I visit, am I to pay for removing the nuisance because it is my advantage to have it stopped?

3214. CHAIRMAN.—Yes, and you can compel it.

Mr. Weir.—That is my answer to the Corporation. What work has the Corporation on hands at present of a pressing nature? Mr. Black is the most competent authority on that question. Really at this moment there were pressing vital works for the Corporation to do, which would occupy them for a series of years—there is the Blackstaff nuisance on which they are to spend £70,000. Mr. Black says it only comes into session about the November elections. If it is not a nuisance at all, then the Corporation is extravagant in spending £70,000 on it—if it is properly spent, then this nuisance cannot bloom only in November. Then there is a system of main drainage which has been declared to be a pressing matter in which the expenditure may vary from £200,000 to £600,000. Artisans' dwellings, £10,000, new streets for which they are to borrow £250,000, and parts of the town not lighted or watched yet although they have had power since 1853.

3215. CHAIRMAN.—I suppose because it was not wanted.

Mr. Weir.—Then why did they include it in 1853? Because they wanted to keep out improvers. The only thing they have done is to dump up the Blackstaff, and flood the neighbouring people. The number of works the Corporation have to perform are so great and pressing, that for a number of years they could not be expected to devote any attention to the Malone district, except such attention as is necessary for getting money out of it. I could well understand their case if this was a town like Dublin, where every spot on which a house could be erected had been occupied, and the whole of it lighted and watched. Then the people go out to live in the suburbs which are continuous streets, and are in point of fact continuations of the town. What is the case in Belfast? There is unoccupied ground, which at the rate of 1,000 houses

a year would afford ground for building for even fifty to sixty years to come. There are only 1,359 acres built upon, and 3,310 acres suitable for building and available which have not yet been built upon. Belfast is increasing at the rate of 1,000 houses a year, and Malone at the rate of one or two, and yet this is the populous suburban district, which necessitates the introduction of the Town Council Government. The population is about one per acre, and that is the district which is as urgently in need of municipal regulations as Donagh-street. What would be the effect? To stop building and to serve the districts unoccupied nearer the centre of the town, because if people have to pay the same taxes, the nearer they are to the centre of the town the better. Therefore this is a movement in favour of the owners of the 3,000 acres.

3216. CHAIRMAN.—Why do these people go outside?

Mr. Weir.—Because they wanted to avoid the interference of the Town Council when they could do things reasonably for themselves. There are sites within the borough as good for villa residences as any in the whole Malone district. This district comprises parts of three townlands, Lower Malone, Ballymarphy, and Ballydownfine. What have they done in Ballydownfine? They have enclosed ten acres, thus cutting up the townland. There is a perfectly well defined boundary between Ballydownfine and Ballymarphy. Yet in order to bring in two houses and make the thing pay, as Mr. Montgomery says, they cut through the centre of a field. The valuation of that part of Ballydownfine is £71, and the total population nineteen, represented by two farmers and their families and farm servants. It is entirely agricultural land close down to the Bog Meadows, which Mr. Montgomery says he doesn't want to take in at all, and near a district which is not lighted and watched, although the Corporation had power to do so since 1853. The only persons caught in by this detour are two farmers, who were never more surprised in their lives than when they were told they were to be made citizens of Belfast. Ballymarphy also is entirely agricultural. I believe, within the memory of the oldest inhabitant there was only one villa built on the Fallowfield by some one or other who was connected with the graveyard. The rest of the people are farmers, some of them hold as much as 100 acres, and have all the conveniences that farmers need, and what the Corporation propose to do is to cut off £70 acres off this large townland by some line which they have laid down according to their own imagination, and include it in Belfast. We only approach the district which is not lighted within a quarter of a mile, and the sewers don't go near the place. The only reason the Corporation give is, that some rough characters went out to the graveyard and did something that might be a very good reason for the police to look after them. It would make it a perfect nuisance to the farmer to have all these fine regulations existing in the city applied to him. Ballymarphy seems to be a very populous neighbourhood, so far as burial grounds are concerned. The borough cemetery covers forty-four acres, the Roman Catholic cemetery eight acres two roods, the industrial schools cover four acres three roods, Fallowfield Park occupies fifty-seven acres two roods, blank grounds fifty-four acres, farms and residences 367 acres. So that what is not taken up by the park and cemeteries, and such places, is farming property, and what is desired is to bring in these farmers and make them pay taxes.

3217. CHAIRMAN.—Do you say the cemeteries, and the industrial schools should not be brought in?

Mr. Weir.—They are not suitable, and the Corporation should not be following them. The cemeteries should naturally be outside the boundary. Through the energetic efforts of the Corporation in stopping the Blackstaff, since 1841, when they first got power to stop it up, eighty acres of Ballymarphy are covered with water in winter. Mr. Montgomery's proposal to leave out the Bog Meadows only shows that they propose to take in only what will pay them.

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3218. CHAIRMAN.—Suppose the farmers were not to pay more than at present?

Mr. Weir.—They object because the rules to be applied to them by the Corporation are rules intended for a town, and they would be utterly unsuitable, and vexatious.

3219. Mr. Anderson, Q.C.—I do not find the names

of Mr. O'Leary, Mr. Cohen, or Mr. Jury to the memorial in question, so that the opposition is not unanimous.

Mr. Weir.—We will produce Mr. O'Leary—he is one of our chief witnesses.

The Commissioners then adjourned until next morning.

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## BELFAST.—EIGHTH DAY.—23RD OCTOBER, 1879.

[Before the CHAIRMAN and Mr. ROBINSON.]

3220. CHAIRMAN.—I may mention that I have received the following letter from Mr. Hamilton, Chairman, of Donagall-place:—

Chairman then read the letter, which was to the effect that the writer, who resided at Knock, wished to correct the evidence of Mr. Joseph Miller, with regard to the district being properly taken care of. He said that there was a system of continuous midnight robberies being perpetrated in the district, and that he thought it would be for the advantage of the Knock district if incorporated, as it would be better watched and patrolled than at present.

3221. Mr. Ross.—I wish to say that Mr. Sinclair Boyd feels aggrieved at what you stated, sir, as to the water on his property. You said, if I have your words correctly, "How would you be expected to place any reliance on the statement that there was water to turn a mill-wheel there, in the face of the allegation in that memorial to the Local Government Board?" All I can say is this—that everything that Mr. Sinclair Boyd said was perfectly honest and trustworthy.

3222. CHAIRMAN.—I did not know that Mr. Boyd had anything to say to that memorial at all; in what I said I referred to any witness that came up here, and said that the district did not want public roads, or to be lighted, or to be watched, because there were no rough or bad elements. Any one that said that, if he was a party to that memorial, said one thing at one time and another thing at another time. That stands to reason.

3223. Mr. Ross.—The evidence that we desired to tender, if it is to influence your fair and right judgment, should be—and it is of importance that it should be—absolutely trustworthy. Mr. Boyd made a statement that there were 13,000 gallons flowing over from one source. He is quite willing to allow Mr. Montgomery to go out and to ascertain the truth of that statement by measurement.

3224. CHAIRMAN.—I have no doubt there is 13,000 gallons, and fully that, flowing out there at that particular spot; but surely it is not because it is there alone that the district would not require water? The allegation in the memorial is that the whole district would require water—that the district proposed to be taken into the township is badly in want of water.

3225. Mr. Ross.—There was a want at Strandown, but that want has been supplied by the Poor Law Guardians. I do not want to say anything more than to ask you not to attach any inordinate importance, even if there be a mistake in the memorial, and to show you that the statements made by Mr. Boyd are reliable.

3226. CHAIRMAN.—I am sure Mr. Boyd did not wish to say anything that he did not believe to be true.

3227. Mr. Weir then resumed his statement on behalf of the Malone district. He said.—I had so nearly concluded all I intended to say last night, that it is almost a mere formality resuming the observations I wished to make. I think I may reasonably ask you not to allow the case of my clients of the Malone district to be prejudiced by anything that has occurred with regard to the other districts; and as the particulars of the district, showing the condition in which it is, and its extent of population, will be given in detail by the engineer, I do not think it necessary to go through those figures at all, but merely to call your attention to the general results. The Malone district

cannot be drained into the present sewers of Belfast. As we have heard from Mr. Montgomery, and whose statement, I believe, is tolerably accurate, it catches about 1,300 acres; and the population of that district, including the whole of Ballymerry and Ballyvafrimo, is probably ascertained—in some parts of those districts is less than one person per acre, and the average in no case more than one and a small fraction. With regard to the district itself, building has been going on there, but for a series of years it has been very slight. There is not a single street in the whole district. The only houses built continuously are a terrace of houses situated not near Belfast at all, but at the extreme limit of the district proposed to be taken in, namely, near the Balmoral Railway Station, and the fact of the existence of a railway station there accounts for the fact that the building has been going on there in that direction. I need not tell you, for people going out of town it is much more convenient to come in three miles by rail than to go two by road, especially, as in this case, if they have a very sufficient train service, and there are a great number of trains in the day always stopping at Balmoral. There are only three shops in the whole district. There are two public-houses, one of them situated near the Lagan, and known as Billy Ward's, and several of the other houses are empty. For twenty years building sites have been advertised there, and have not been taken; and some gentlemen who went to the expense of erecting villas there, find that, for the three or four years which have elapsed since they were erected, no one has taken them. Therefore it cannot be urged that this is anything like a thickly populated district. It is very sparsely populated—to the extent of one person to the acre, or thereabouts—and it cannot be compared even with the less populated parts of the present borough of Belfast. What it needs, therefore, is not regulations such as are specially applicable to houses built in continuous streets—and not to be proved as these streets are—but it needs the regulations applicable to a thinly populated district consisting chiefly of farms, houses and farms of land extending in some cases to 100 acres or upwards, and combining, as I have said, only one person to the acre. Of course it is manifest that regulations which would be not only right but necessary in the case of a town, cannot be of the same necessity, or be of any necessity at all in a place situated as the Malone district is. No doubt, the Town Council have suggested that there is now something offered to us that we cannot get otherwise—that is lighting and watching, and so on; but they do not propose to give all that to us at present, but whatever they like. Therefore, as I have said, they don't think that it is necessary we should have these things immediately, or else for some other reason—such as its not being advantageous to them—they do not propose to give us those benefits at present. The only thing that they propose to give us is a better supervision of buildings, but that is simply provided for under the authority of the Poor Law Guardians, who, under the Act of last year, have ample power to carry out these matters, and it is not accurate to say that the Board of Guardians have refused to make any by-law. A resolution was read at an early stage of the proceedings, with some little show of satisfaction by the other side, that the Guardians had declined to make the regulations some time ago; but the reason given for that, as shown clearly by the gentlemen who took part in

Mr. Weir.

posing that resolution, was this—that they wanted some guide or sketch of model by-laws for the passing of their by-laws, and they had reason to believe the Local Government Board were going to issue instructions for by-laws which would materially assist them in carrying out the Act of Parliament. Of course it may be said that a year has elapsed, and it is an argument against them that a year has elapsed before they have carried out the Act of Parliament; but after all, that is a very small time for putting into operation these powers. Even if four or five years had elapsed, it would have been but a comparatively small time. However that argument could have come from other parties, it certainly does not rest with the Corporation of Belfast to make it, for for twenty or thirty years they have abstained from putting into force powers that would have been beneficial to the towns if they exercised them. The only other thing I wish to mention is in reference to the question of consent. I have a letter from a gentleman who knows the facts with regard to what took place in reference to the application from the Southport Corporation for liberty to extend their borough, so as to include Birkdale, the two places being joined together, as far as the lines of houses and streets are concerned. In my case there is not only no line of street in the new district to connect it with the old, but there is no line of street at all. This gentleman in his letter says—

“The two places are joined together, as far as line of houses and streets are concerned, but Southport has a Corporation, and Birkdale is under a local Board. About two years ago Southport went to Parliament for powers to incorporate Birkdale. A public meeting was held in Birkdale, which, by an overwhelming majority, disapproved of being incorporated. The inhabitants of Birkdale were afterwards assessed, and, out of 960 householders, 750 were against incorporation, 30 in favour, and 50 neutral, and 100 would not sign the document.”

Our case is even stronger than that. The letter continues to say—

“Southport Corporation in spite of this opposition, went to Parliament for powers to incorporate Birkdale, and the Committee of the House of Commons stopped the inquiry, without examining witnesses on the Birkdale side, as they were satisfied it would not be right to incorporate Birkdale against the wish of the householders. The Committee gave its opinion on the cross-examination of the witnesses in favour of the said incorporation. In Birkdale we find that the government of a local Board is in many ways less expensive than that of a Corporation. Our rates in Birkdale are about 1s. less than those of Southport, and we have an efficient system of sewerage which Southport had not until lately.”

In that case the difference would only be 1s., but in my case I think I will be able to show you that it would cost even more than that. I will proceed at once, and will show you that really this is a district

which answers to what Mr. Montgomery described as a rural district, saying in one place a suburban rural district, which means only that it is a suburban district close to a town.

3328. CHAIRMAN.—You said that the Act was in force only for a year, and that the Guardians could not be expected to act on it in so short a time. Will you show me anything in the Act of 1878 that was not substantially in the Act of 1874.

Mr. Weir.—I don't know about that.

3329. CHAIRMAN.—It appears so clear on light that the Poor Law Guardians utterly ignored the Act of 1874.

Mr. Weir.—I have not had an opportunity of comparing the two statutes, but there are differences.

3330. CHAIRMAN.—But hardly any on this point?

Mr. Weir.—However, the way the matter stands is this—I am not compelled to go to the length of Mr. Ross in saying that there is a power to create a rural district of separate townlands. Mr. Ross has, if I may say so, showed what is the question by what was done by the people of Stranmillis on a former occasion, but I maintain no difficulty. The reasons that induced the people of Stranmillis to look for a township do not exist in the case of my clients. That there is that power of forming a rural district, and to give that district all the general powers of lighting and so on, I shall not delay to argue. All I say is, that in the case of the Malone district, from the condition of the district itself such a supervision as that provided for under a joint board, according to Mr. Ross, even if he be right, is unnecessary. That district is so constituted, being only laid out for villas where each of the houses must be built at considerable cost, and which are perfectly looked after at present, that there is absolutely no necessity for supervision; but further, if there is any necessity the means to be obtained are provided for by the Act of Parliament, and I do not know that where the power exists, even although it should not be exercised, that is a reason for taking away from that body the power altogether, and giving it to another body that could not perform it so efficiently, and that certainly, if they performed it at all, would perform it more expensively. It is clear from Mr. Montgomery's evidence that the fact is if this vast district is lighted and watched, it will be a loss to the Corporation. Our reason, therefore, for objecting to be incorporated is that even if the scavenging and the maintenance of the roads were better than under the county, still my clients' wants, and their ideas of what is right do not lead them to wish to incur as much expense as there must be if there was a change as suggested, and they believe that the expense of maintenance under the Corporation would be considerably more than under the County Board, although the management of the latter is perfectly sufficient and perfectly satisfactory.

DEPART.  
Oct 23, 1878.  
No. 100.  
Weir.

Mr. ERNEST COCHRANE, C.E., examined.

Mr. Ernest  
Cochrane, C.E.

3331. Mr. Weir.—I believe you have a degree as a civil engineer from the Queen's University in Ireland?—I have, since 1875.

3332. And have you been practising as your own account as an engineer since then?—I have been under several engineers, but I have now started for myself.

3333. Are you acquainted with the district of Malone proposed to be included in the borough?—I am for the last twelve years.

3334. Have you recently made a survey of it for the purposes of this inquiry?—I have corrected the Ordnance map.

3335. Have you gone over the ground yourself?—Every acre of it almost.

3336. What is the acreage?—Lower Malone, 770a. 3s. 30r.; Ballymurphy, 478a.; and Ballydownfane, 10a., making altogether 1,258a. 3s. 30r.

3337. I believe Mr. Montgomery makes it a little more?—Yes; 56a. more.

3338. Do you know the portion of Ballydownfane proposed to be included in the extension?—I do.

3339. At present the boundary there is the townland boundary, as I understand?—It is of Ballydownfane.

3340. What is the new boundary proposed to be made by the Town Surveyor?—It runs through the middle of a field, cuts across a road, and takes in two houses. It is an angle going into Ballymurphy. One is a large farm. Mr. Kirkwood and Mr. Squire are the names of the people.

3341. Are they farmers?—Mr. Squire is not. He was privately; but Mr. Kirkwood is a large farmer.

3342. What are the ten acres. Is it farming land?—Yes, altogether, excepting what the house is built on.

3343. Is there any natural boundary at all in the place where the Town Surveyor has proposed to lay down the new town boundary?—There is not, and

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Oct 25, 1875.  
Mr. Ernest  
Cockburn, C.R.

there can be no reason for it as far as I am aware, except the taking in of the two houses.

3244. How many of the 770A, 3a, 30a, in Lower Malone is made up of the cemetery?—There is 1a, 3a, 30a, of the cemetery. That is what they call Ballymurphy, next the railway, and the Friends' burial ground contains 2a, 10a.

3245. These are the extreme limits of the proposed extension?—They are at the proposed extension.

3246. And in addition there is the Refectory, which I believe occupies 20A, 1—No; they own 23A, and they rent 20 a, they absolutely own 23A.

3247. How much of the townland of Lower Malone consists of farms and farmers' residences?—425A, 1a, 30a.

3248. Do you know that some of these farms are of great extent?—They are very large.

3249. Mention one of them?—Mr. Sayers owns a large quantity of land under Sir Thomas Robinson—all the Bog Meadow portion is let to large graziers. Mr. Scott has about 60A., and there are other men scattered that way, and who hold land similarly.

3250. CHAIRMAN.—Do they live on those places?—They do.

3251. Mr. Weir.—As far as you know does it differ in any respect from any other part of the country held by ordinary farmers?—No; it is occupied by ordinary farmers.

3252. You say that Ballymurphy consists of 476A. 1—Yes.

3253. And in that is included the borough cemetery of 44A. 1—Yes, and the Catholic cemetery of 5A., the Industrial School, 4a, Wallin Park, about 57A.—making a total of 113 acres.

3254. And the bleach grounds at Ballymurphy make up a considerable quantity, do they not?—There is one very large one, peculiarly situated, up in a corner, and containing 54A.

3255. Mr. Robinson.—As indicated on the map are these all buildings belonging to the bleach green?—No, sir. I will show you. (The witness then explained by the map his answer to the question.)

3256. CHAIRMAN.—Does not the owner of that bleach green draw his supplies—what he imports and exports—through the town of Belfast, using the roads and the lighting?—He does not use them very much, because it is through the Falls-road he takes his spinning stuff and bleaching material. All the spinning mills are situated at the Falls, or just in the neighbourhood of the Falls, and his bleaching stuff goes through the Falls.

3257. Mr. Weir.—With reference to the acreage of Ballymurphy—how much of it consists of farms and farm residences?—307A.

3258. Are those occupied by farmers in the ordinary way?—Yes.

3259. Farmers living in their residences upon their lands?—Yes; Mr. Ireland owns about 180A. there.

3260. Has there been anything like building going on there?—There have been two houses built within the last ten years—villa residences, semi-detached. (Witness pointed them out on the map.) One of them is a gentleman's house, and the other is owned by the manager of a mill, who also owns a lot of land. These are the only two houses in the whole of the Ballymurphy district.

3261. In your opinion is that land unsuitable for building sites?—Well, yes, from its proximity to the Falls. It is essentially a working district, and has a bad approach for villa residences. For many years to come it cannot be possibly used for building workers' houses, as the acreage inside the borough for building room is very large there.

3262. Is there within the present borough a large quantity of land suitable for villa sites?—I would not call that land suitable.

3263. Not generally. I mean as far as that end of the town goes?—I have not gone over the whole town.

3264. Inside the borough is there a large quantity of land suitable for villa sites?—Yes.

3265. And is it being built on rapidly?—Yes, it is. I could not state the proportion, but it is being built upon rapidly.

3266. What is the present condition of the district—the part bordering on Ballymurphy, and about the Blackstaff?—Thoroughly bad.

3267. Has it been so bad that people have not been able to build there at all?—It is. They have been refused sites. They have not forward plans, and have been refused by the Town Council.

3268. And on the ground nearest the Blackstaff—is that where the Lunatic Asylum is?—Yes. I understand that Mr. Siddington and others put forward plans, but they would not pass, owing to the fact that they have not got proper drainage.

3269. Would that be first complied before any workers' houses could be built there?—It would.

3270. CHAIRMAN.—Suppose offences are committed in that district to what Petty Sessions district are the offences taken?—Ballymurphy is watched by the Hanulawson, and the others by the Drumcree police.

3271. Where are the offenders tried?—I don't know.

3272. Take the Malone district—that is the western extension—what is the nearest district to which prisoners could be brought?—The Petty Sessions Court, and it is in the Crumlin-road district—a most convenient place.

3273. Mr. Weir.—Do you know, Mr. Cockburn, the part you marked as flooded?—Yes.

3274. How many acres in that part?—I think 134 altogether.

3275. In Lower Malone 50A. and in Ballymurphy 80A.

3276. Do you know whether that flooding is permitted to exist on the Town Council's portion of the Blackstaff?—It is greater inside than out.

3277. Has the neglect of the Corporation to deal with the Blackstaff any effect on producing that flooding?—Decidedly.

3278. Have you taken out the valuations of the houses in that district?—I have.

3279. Give the valuations of the whole district?—99 under £5, 14 over £5 and under £10, 25 over £10 and under £20, and 100 over £20.

3280. Is that in the whole district?—Yes.

3281. Are those 99 workers' and farm labourers' houses?—Yes.

3282. What is the total population of the proposed extension there?—1,199.

3283. How many of those are in the part of Lower Malone proposed to be included?—826, which makes 1,197 to the acre.

3284. Of that 826 how many belong to the class of house servants?—155, and 302 farm labourers.

3285. In Ballymurphy what is the population?—347, being 0-25 to the acre.

3286. How many of the number there belong to the class of house servants?—17, who are principally farm servants, and 26 of the labouring class and workers at the bleach mill.

3287. That is within 78 of the total population of this villa district consists of labourers entirely?—Yes, sir, by my figures.

3288. In Ballydownline the area is 16A. 1—Yes.

3289. And the population there is 19?—Yes, making 1-90 to the acre.

3290. How many of those are farm servants?—House servants number 5.

3291. And labourers living in the place?—2. The other labourers live in what I have counted before Ballymurphy.

3292. What is the average population in the whole district?—0-37.

3293. How many workers' houses are there in the Malone district?—43 labourers' cottages. There are also 3 shops, 2 public-houses, and 14 gate-lodges belonging to gentlemen's demesnes.



3204. How many empty houses are there there?—13.

3205. Has there been anything like extensive building out there?—Well, there have been villas built there from time to time. I think there have been about 30 villas built there within the last eight years.

3206. The building sites only show where a man would build ground if he could get it taken?—Yes.

3207. Do you know how many lots have been advertised for 20 years?—Personally I don't; but from information I have obtained there are 130 advertised. There may be more.

3208. Have many of them been advertised over 20 years?—Yes.

3209. CHAIRMAN.—Have they been advertised as others have been—namely, as ground which was exempt from borough taxation, being outside the boundary, and having all its advantages?—I don't know. They have been advertised with reference to the house again.

3210. Mr. Weir.—Is Ballymurry you have given in the total number of houses, I believe. How many workers' houses are there?—51.

3211. These are partly inside the bleach green, and partly ordinary cottages?—Yes. I think there are only 8 cottages inside the bleach green.

3212. The rest are cabins?—Yes.

3213. The two villages of Middown and Andersonstown—you would not compare them with any part of Belfast?—I would not.

3214. How many houses are empty in Ballymurry?—5.

3215. And there are two farmers' houses in Ballymurry—one occupied by a gentleman who is not a farmer, and another by a large farmer and jobber?—Exactly.

3216. Do you know the state of the roads in the district proposed to be included?—Yes; infinitely.

3217. Are they well or ill kept?—They are exceedingly well kept, and I may explain that that is accounted for by the fact that there is a system of full time service men kept on every day in the week.

3218. On three of the roads proposed to be taken in are the service men kept?—Yes.

3219. Which roads?—The Falls, Malone, and Lohrum.

3220. Would you say they are kept in as good order as the roads of the borough?—Better than the roads of the Town Council bordering on the borough boundary. They are kept at an average cost to the municipality of 4s 9d. a perch. According to Mr. Montgomery there is a cost of 11s. 3d. in the borough, and if he takes in avenues it would be 8s. 6d. That is nearly double what they cost the county.

3221. CHAIRMAN.—Have you taken the figure on a contract for its entire length?—No. They are short lengths, and separate contracts.

3222. Are they better kept than the portions of the same roads inside the borough?—Yes.

3223. Mr. Weir.—Are they better kept than the portions immediately adjoining?—Yes. These portions I would choose call roads, not streets, and they are better kept.

3224. Have the inhabitants of that district made private roads which are well kept?—Yes; they are marked "A A" on the map, with a gray tint.

3225. Are they well kept?—Yes, and well metalled and drained.

3226. Have those roads been made at the expense of the people owning property there?—Yes.

3227. Is the average fairly satisfactory in the Malone district?—Yes, for the class of houses there.

3228. Do you know a portion of the Corporation land inside the present boundary on which there are thirty houses?—I do.

3229. Will you show it to the Commissioners? [Witness indicated the locality on the map.]

3230. That is a portion of the district having the full

benefit of the Corporation supervision?—Yes, inside the boundary.

3231. And having the privilege of paying?—Yes.

3232. Have the class of new houses that have been erected there—existing at present a large number of farm houses and small cabins—been well constructed both as to coverage and all that?—Yes, gentlemen's residences included in ring fences, averaging from three acres to two rods.

3233. Is Malone, Lower, prejudicially affected by the liability to flooding of those meadows above it?—Do you mean is house property affected?

3234. Yes!—I do not know. The railway makes a great deal. It is very low lying, and the railway takes from those houses a great view. For instance if you look at a place called Brooklands; Mr. Jury lives there, and he has half his property flooded every year, but he does not say he suffers any injurious effect from it.

3235. I think it was said that a very disagreeable nuisance arises from the flooding?—I think that is inside the borough; between the flooded portion and the railway there is a strip of very finely high-lying ground.

3236. Is nearer to Upper Malone is a deeper and finer part of the river?—Yes.

3237. And the nearer you go to the centre of the Corporation authority the worse you get the Blackstaff?—Yes, in this particular case.

3238. You said that the class of houses built there were gentlemen's houses, and well secured?—Yes.

3239. Have you had an opportunity of knowing the terms upon which the houses are let there for villa sites?—They are houses with half an acre, and sometimes three or four acres of land attached.

3240. How far are they from a public or private road?—The very nearest would be thirty yards from any road.

3241. I suppose the owners like to have them as private as possible?—Yes. I think probably the going out there was to get the grass of a cow, and also pleasure grounds, and to get them as cheap as possible.

3242. Do you know of the regulations as to building and the making of new streets in the town?—Yes.

3243. In your opinion are those at all properly applicable to a district so constituted as the Malone district?—I don't think they are. In a crowded district where streets are made they are essential and just, but where they are independent residences altogether, I don't think they apply in any one way.

3244. CHAIRMAN.—Do you think there should be any supervision in a district such as that with regard to building, or that every man should be allowed to do as he likes in that respect?—That is just the thing which you should draw the line. I think the line should be one where there should be no money houses to the acre.

3245. Would you have any authority in the present day if a man built two or three houses to the acre to prevent the want of proper sanitary arrangements with regard to them?—Yes, decidedly. In that case the Guardians have authority and they are using it.

3246. Mr. Weir.—Do you know as a matter of fact that the Guardians have exercised their powers in that district?—Yes, in one place particularly.

3247. Where?—At Brookland Cottages;—the Guardians summoned the owners, and made them construct a glazed tile sewer and a drain emptying into the Bog Meadows, and eventually it goes into the Blackstaff.

3248. With regard to the watching of the district, you say you know it for twelve years. Is it a peaceable district?—Yes, it is peaceable as far as I know and as far as report goes. I did hear one complaint of a man having lost a chicken.

3249. CHAIRMAN.—Do you mean that the Guardians compelled them to make that sewer?—Yes, to discharge into the open main, leading to the Blackstaff.

3250. Is that what you believe to be a proper sanitary authority. If the drainage was worst, they

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Oct 11, 1878.  
—  
Mr. Ernest  
C. Holmes, C.E.

RECAPIT  
Oct. 25, 1895  
Mr. Ernest  
Coburn, C.E.

should indict the owner for a nuisance?—They go on the same principle as the Town Council, because if they did not do it in the first instance, they were made to do it. It is not generally solid matter goes down there, because Mr. Jary has a large cesspool which he cleans regularly, and uses for the irrigation of his ground.

3341. Mr. Weir.—Do you know that Mr. Montgomery was consulted as to some of his drainage?—In reference to the district of Marlborough Park—I understood that the sewer designed in that district was carried out from the design of Mr. Montgomery by the Messrs. Workman at an expense of £330. The system must be a very fair one where the overflow passes close to Mr. Jary's house, and he says he feels no injurious effect.

3342. With regard to the lighting of the district!—Does it need any lighting further than it has?—I don't think it does. I may state that the Town Council have not yet lit up to the boundary down in this direction (pointing to the map) of Mount Pleasant.

3343. Is that within the lighted and watched district?—It is, certainly.

3344. Although they charge the whole of that district the taxes for lighting and watching, they do not give them the benefit of lighting and watching?—In that part they do so not.

3345. Is there any street at all in this district?—No; not a sign of one, not an appearance of one.

3346. Are there any houses built alongside in terraces, except on one spot?—No, except eight houses at the end of the second avenue down on the Lichfield road, very near the proposed extension.

3347. What in your opinion would be the effect of the extension of the borough upon the building in that direction?—I consider it would stop building there, and drive it to a place where there is a lot of building going on, namely, beyond Balmoral station. Close to the station there are a lot of houses in operation, and villas building besides. There are nine trains a day from that place going into Belfast, and what is very important, they can get out of Belfast at half past ten o'clock at night, and have an easier access to Belfast than people living halfway in the present boundary.

3348. In your opinion would it be injurious to the last degree if the proposed extension was carried out?—Yes, it will drive building in the direction I have stated.

3349. Would the application to this district of town regulations be injurious?—I think so.

3350. Do you know any houses in this district which connect with the Corporation sewer?—Yes, I do. The owners of the houses at Cherry Hill, and Montpelier have made arrangements with the Corporation by which their sewer goes into the Corporation sewer.

3351. As I understand that is the part nearest the Corporation boundary?—Yes.

3352. Does not part slope down towards the Corporation boundary?—Yes.

3353. Beyond that does not the ground slope in the other direction?—It does.

3354. CHAIRMAN.—Would you think it right to have a system of drainage for the Malone district?—I think not at present. I think the cesspool system will do.

3355. You say there are a number of sites of ground laid out for building and private roads; would you not think it right to have a system of sewerage for them?—Yes, but I think a cheaper and quite as good a system could be got without the assistance of the Town Council, even if every acre was covered with villa sites. I consider that a system of cesspool drainage could be very greatly improved.

3356. Mr. Weir.—Taking the present necessities of the place, is there any need for a system of drainage?—I consider not at present.

3357. CHAIRMAN.—According to your idea would you compel every man not to build a house within 100 feet of the road?—I never said that.

3358. Don't you see by the Act of Parliament he cannot have a cesspool if he is within 100 feet of the centre of the road and the road is sewered?—I did not understand that, what my idea about the sewerage of that district is this: If you look at the Blackstaff inside the borough, and remember the crowded condition of its banks, I think it warrants the Town Council in taking steps—ensuring that they have a perfect right to do so—to summon people in order to put a stop to nuisances higher up the river; but what is done I don't think they can call upon the people of the Lower Malone district to make a system of sewerage.

3359. But what would be advisable sewer or thirty years hence would not be advisable now?—Yes.

3360. Your evidence is that at present the district needs nothing of the kind?—Yes, for the present class of houses. Of course if you get terms of houses it is different.

3361. Why confine it to terraces of houses—suppose there are numbers of houses not in terraces?—I think the sewerage must all depend on the circumstances of the place, from time to time.

3362. To Mr. O'Connell.—I wish to ask the witness a few questions on behalf of Mr. Wallace who owns ninety-seven acres in the district proposed to be brought in. What is the average of Mr. Wallace's property that they propose to take in?—Calculating it by the Ordinance map, ninety-seven acres out of 100 acres they want to take in that part of the district.

3363. How many houses are there?—Ten cottages, one a farm house, one public house on the canal topsoil and the lock house on the canal. There is not one villa.

3364. Is the district a purely agricultural one?—It has been and will be, I consider. It would need great expense, owing to the lie of the ground to turn it into building sites.

3365. Have you made a survey of it for agricultural purposes?—Yes.

3366. Is it let at present for agricultural purposes?—Yes, part of it—sixty or seventy acres.

3367. You see the road on the map which separates it from the rest of Upper Malone?—I do.

3368. Have you formed any opinion as to whether Mr. Wallace's property should be included?—I don't think it should be included any more than Strandmill, from which it is divided by that road.

3369. It could not be turned into building ground?—No, the ground is very bad.

3370. It would not be beneficial to the town to be included?—I don't think it would.

3371. Do you consider that the regulations of the Urban Sanitary Authority would be applicable to such a district as that?—I do not think they would.

3372. Do you know how the land is held?—I don't.

Cross-examined by Mr. Andrews.

3373. You described the sewerage as fairly satisfactory for the class of property?—Yes.

3374. Now, I want the Commissioners to know just a little more as to that. Is the sewerage that you describe as fairly satisfactory cesspool sewerage, and does the sewage run into the adjoining stream?—It is.

3375. You mentioned some houses at Balmoral station. Where do they drain into?—Into the Blackstaff.

3376. Don't they drain into the railway ditch?—They go into the ditch under the railway.

3377. And then into the Blackstaff?—Yes.

3378. Have you any other outfall for sewage than the Blackstaff?—None. I say that the present system of cesspools could be improved.

3379. After the time comes that it is to be drained, where is it to be drained after the cesspools cannot be considered to be suitable any longer, and without pouring the sewage into the stream any longer where would you take the drainage?—To the Bog Meadows.

3380. Would it be any advantage to the district to have that flooding at the Bog Meadows reduced?

Yes, but I would do so by another way than by bringing it through the town.

3381. By what other way?—I would take it by a cutting by the Botolph station, and distribute the advantages over a large area—I mean for the flood water.

3382. Where would you discharge the outfall?—Into the Lagoon.

3383. Have you formed any conception of the cost that that would be?—I have not.

3384. You mentioned the district of Marlborough Park?—Yes.

3385. Is it a large district?—Yes.

3386. I find this advertisement on the 25th of January, 1878, in reference to Marlborough Park; it states the terms on which the property will be let, and it states that advances have been made by Messrs. T. G. and A. Workman?—Yes.

3387. Do you know a place called Bladen Park?—I do.

3388. There is an advertisement headed Gretton Villa, and one which states that there are to be let superior villa residences at Bladen Park, within 2½ miles of the town and immediately outside the borough boundary, and consequently exempt from local taxation?—Yes. These are two houses that have been for three years built and that are still unlet.

3389. Is there another district called Osborne Park?—Yes.

3390. Has it been laid out for building?—It has.

3391. Is the district one that you would call a purely rural district?—I would be glad to know the definition of a suburban district.

3392. According to your conception of such a district is it a purely rural district?—I consider that it is, owing to the fact that the average buildings are one house to every acre.

3393. In the Lower Malone district, which is 773 acres, I find that the land is valued according to the last Government valuation at £1,445, and the buildings at £4,616?—I may state I could not get the information so as to separate the land from the buildings, so I cannot tell you whether those figures are correct or not.

3394. In Ballymorphy the land there is about 476 odd acres, and the valuation of the land is £639, and the buildings £267; in Ballydowling there is a very small area, between nine and ten acres, and the valuation of the land there is £16, and the buildings £40. Would those figures promote your view that it is a purely rural district?—It would, sir, owing to the fact of what I consider the definition of a rural district.

3395. What is your definition?—I think some competent authority should settle that matter.

3396. I want now to ask you about the roads. You have given a good character, and a deservedly good character of all the leading thoroughfares of the Falls, and Malone, and the Lisburn-road. You said that the expenditure on the maintenance of them was at the rate of 4s. 9d. a perch. For what period is the 4s. 9d. a perch paid?—Yearly.

3397. Are you sure of that? I question very much if you are right. I think you will find that it is for the half-year?—I understood that the county surveyor was coming here, and I did not go to his office; but I got my information from one of his assistants, so I cannot swear to it more than that.

3398. You cannot say how long that 4s. 9d. is for?—I understood that it was for the year.

3399. And did he tell you for what length of road that 4s. 9d. a perch was?—I do not know, but it could be easily found out.

3400. Do you consider that no single acre Mr. of Wallace's property is fit for building on?—I do.

3401. CHAIRMAN.—I see according to your own plan that there are 250 houses in this district, viz., 145 dwelling-houses and 105 labourers' and farm cottages?—That is for the whole district, but I have sub-divided it into townlands.

3402. You have already said to Mr. Andrews that these houses all drain into cesspools, and the overflow

of them is allowed to go, as you say, into the Bag Meadows. Mr. Andrews asked you didn't it go down into the ditch by the railway, and you say it goes under the road. Do you mean to say that for the last half dozen years the Guardians have allowed it to go on as apparently they have? Do you call that right?—I say it is right when the Town Council have read the Blackstaff in the same way.

3403. Is it your opinion that because the Town Council have allowed the Belfast people to pollute the Blackstaff, the Guardians of the district all around Belfast should set at naught all the provisions of the Sanitary Act too?—No, it is not, but it would give great confidence to the people if the Town Council settled the Blackstaff first and then called upon other people to do their duty in that respect also.

3404. Would it not be right for the Guardians to set the Town Council a good example?—But look how long the Town Council have neglected their business.

3405. The Blackstaff nuisance has been going on for a number of years, and would cost thousands of pounds to settle?—Yes.

3406. But the sanitary arrangements outside the borough would cost very little, because the Guardians could say to the people, "You shall not have an overflow from your cesspools, but you must construct them so that by clearing them out constantly there will be no overflow discharging and creating a nuisance." That would cost very little compared with the Corporation scheme for removing the Blackstaff nuisance?—I do not know whether you can take on your evidence such a statement as this or not, but I must say that if you are to measure the future by the past you would still be at a loss to know what the Town Council are going to do for the Blackstaff.

#### Re-examined by Mr. Weir.

3407. Mr. Andrews read an advertisement as to houses to be let. Is that one or two houses built for over three years and never tenanted?—Yes.

3408. And there are a great number of houses in the same way?—Yes.

3409. And I suppose a man trying to let those houses for a number of years will try to give them the best character he can?—I think so, naturally.

3410. Do you know how the farms are drained in the country—ten or twelve miles away from the town?—There is no sewerage system there at all.

3411. I suppose the farms in this district are pretty much the same as in any other part of the country?—They are.

3412. The great number of houses that are drained by cesspools are ordinary farm-houses which are dealt with in the ordinary way?—Yes.

3413. As a matter of fact have you any overflow from any cesspool which is considerable?—No, almost nothing. It is a very hard for people to avoid putting it into the Blackstaff, nor would they do any good by not putting it in unless the greater part of the Blackstaff is cleaned out.

3414. And that could be avoided if the Town Council did their duty?—Yes.

3415. I forgot to ask you is there any portion to be taken in of the Lisburn Union?—I don't know.

3416. Do you know the character of the ground between the Lisburn-road and the railway station?—I do.

3417. How is that constituted for villa sites?—It could not be used for villa sites. The railway divides the property, and the only way of access would be by a level crossing or crossings, and a boy was killed there the other day. It is most unsuitable, and then besides that you immediately go into the flooded portion of the district.

3418. Is that a portion of this district that the Town Council propose to take in?—Yes; I think so.

3419. Mr. Andrews.—Are you aware, as an engineer, that the Great Northern Railway Company are getting an Act of Parliament to make a sub-way?—I was not aware of that.

Witness,  
Oct. 25, 1878.  
—  
Mr. James  
O'Sullivan, C.E.

Mr. DALWAY BRILL WALKINGTON examined.

REPORT.  
Oct. 21, 1878.  
Wm. D. B.  
Walkington.

3439. Mr. Weir.—Do you live at Thornhill House?  
—Yes.

3421. Do you hold the land out there?—I have the place—the house and grounds of Thornhill.

3422. Did you build that place yourself?—No.

3423. How far is it outside the present boundary?  
A little over a quarter of a mile.

3424. Have you made ample arrangements about your drainage?—I think so; I made some myself after I went there under the advice of a competent engineer and surveyor.

3425. Did you make arrangements for a supply of water also?—That was already done before I went there. We have a very good well.

3426. Do you know that district intimately?—I cannot say much about it. My illness prevents me going about much. I can only speak with a knowledge of my own place.

3427. Do you think there is any defect in the drainage system to amount for any injury to health to any person?—Certainly not.

3428. Do you know of anything of the kind?—No; the sewage from my house and the stables and cow-house goes into a tank on my grounds, which is of brick and cement, and is connected by a lead pipe with my garden. We use all the liquid sewage on the grounds, and we empty the solid matter once a year.

3429. And it would not be a fact that you did anything to pollute the place?—There is no sewage that escapes from my grounds.

3430. You cannot, of course, speak as to others?—I cannot.

3431. Have you considered this question of the extension of the borough boundary out to you?—Well, simply in this way, I consider I live in the country and do not require any municipal supervision, and it indicates increased taxation, which I, in common with most other people do not like.

3432. You object to the extension on two grounds, first as to the increased taxation, and secondly because of the application of regulations not suitable to the district?—I don't think I require them at any rate.

3433. In your opinion would the extension of the borough there be injurious to the district?—I cannot see any necessity for it.

3434. And I suppose what you don't see any necessity for that you don't like to pay for?—Not if I can help it. I may say that when I went out there nine years ago that was one of the inducements held out, that I would get plenty of room about my place and fresh air for my family, and that being exempt from town taxation, would more than compensate for the expense of a horse and vehicle.

3435. Do you know that it is intended to make the new townspeople pay a portion of the debt of the People's Park?—I do not.

3436. Do you find the want of a people's park out there?—Not with me.

3437. You would not think of going off and taking your vehicle across the Lagan, when the tide is out, on a fine summer's day, for the purpose of getting a walk in the Cremorne Park?—I would not.

3438. And you object to pay for it?—Yes.

3439. What house is there between you and the Lishern-road?—Mr. Maggrave's. He has about twenty acres.

3440. CHAIRMAN.—How much have you?—Seven acres, or within a few perches of it.

3441. Mr. Weir.—Do you intend to let any portion of your ground to be laid out as sites for workers' houses?—I could not let or put up any house under a certain value.

3442. What is the value?—I think £150.

3443. Is your house at a distance from the road?—Yes.

3444. Do you know, in reference to the question

of lighting, that a number of private gentlemen have lights at their several gates?—Yes, several; because their houses are at a considerable distance from the road.

3445. Considering the necessity of the population there do they use any more lighting?—I don't think they require it much; but I only speak for myself.

3446. That is your own opinion?—Yes.

3447. I suppose you know the general state of the roads kept up by the county surveyors?—I don't see any difference, as I drive into town between the part outside and the part inside the boundary.

3448. In your opinion is this a rural district?—Well, I should call it so. I should say that, in one sense, it is a suburban district close to a town.

3449. A rural district close to a town?—Yes, I say I live in the country, but other people might give a different definition of it.

3450. Do you need a water supply?—We have a good water supply. The well on my ground furnishes an ample supply for what I want, and it has been analysed by Professor Hodgins and been pronounced good.

3451. Do you know whether or not the inhabitants of the district are generally opposed to an extension?—I think they are.

Cross-examined by Mr. BRUCE.

3452. You mentioned some cases in which there were lights at the gates of some of the houses?—Yes, for the convenience of the occupants.

3453. Are those lamps continually lit?—No, they are only lit when the owners have company at their houses to light their own grounds.

3454. You said, I think Mr. Walkington, that you went to reside there about nine years ago?—It would be nine years this month.

3455. You know Marlborough Park?—Yes.

3456. Has that been laid out for building since you went to reside in the district?—Yes.

3457. Within the last two or three years?—Yes.

3458. And that line between you and the borough boundary?—Yes.

3459. Are there any buildings going on in there?—There have been some buildings put up—I think seven or eight.

3460. Within the last two or three years?—Yes.

3461. I see Notting Hill on the map—that line in your immediate neighbourhood?—Yes, on the opposite side of the road.

3462. Were those buildings there when you went there?—Yes, I think so. Notting Hill has been built some time.

3463. CHAIRMAN.—Do you not use Belfast largely? Are you for instance a newspaper in Belfast?—No.

3464. At all events you see just on the outskirts of Belfast?—Yes.

3465. Do you think it advantageous to get lights on your road as far as you do on your way home?—It is of some advantage at night.

3466. Do you think in every district laid out as a building district that the lighting of the public roads would be desirable?—I think it would be of some advantage.

3467. Mr. Weir asked you were you aware that the Town Council propose taxing you, and those in your district, for the People's Park, and you said you were not aware of that. Would you think it unfair that persons located immediately outside a great town like Belfast, where the artisans live, whom they are obliged to employ if they want artisans, should be obliged to contribute some little thing to keep up a park for them? If you state that it will be only some little thing I would have no objection to that if it was left to the residents themselves, but I would object to be taxed to do it. I don't think it necessarily follows. The people who live in Belfast must be there and live there for their own advantage. I never make a step in it

Belfast, and all my income is spent with the shopkeepers of Belfast. My wife has to come in three and four times a week to the butcher, baker, draper, and so on, and as I am in the habit of paying my bills promptly, I find she is very well received, and I am sure they would like to see her often.

3468. Mr. Weir.—You find that they make a profit on their transactions with you, and they can afford to pay their taxes to the Corporation?—Yes, and I think I help them in some small degree.

3469. CHAIRMAN.—The officer you go into Belfast is it for your advantage?—The advantage is mutual.

3470. Do you think it desirable that the district should be watched?—That depends on the watching. As far as my experience of towns goes, and I have lived in several, the watching of the outlying districts is almost a sham.

3471. Would you call the watching of Belfast a sham or present?—No, not in the centre of the town; but I think that Windsor and the other outlying districts are not very well watched. I do not speak of my own watching, because I am very little out at night, and I therefore could not speak positively.

Mr. WALTER H. WILSON examined.

Examined  
Oct 25, 1876.  
Mr. W. H.  
Wilson.

3472. Mr. Weir.—Do you live in Belfast?—Yes.

3480. And you pay rates there?—Yes.

3481. What business are you in?—Shipbuilding.

3482. What is your valuation?—£48 I think.

3483. Are you connected with the ancient firm of Harland and Wolff?—I am a partner in that firm.

3484. Do you hold a property in a position of the proposed extension—in the Malone district?—Yes.

3485. How many acres?—My brother and I together hold about ninety acres, of which I hold the half. It is over 150 years in our family.

3486. What part of the district is it situated in?—At the town side of Stockman's-lane, in Lower Malone. The railway divides it. On the part below the railway the Protestant Reformatory is built.

3487. Is there any other part of your land built on?—No.

3488. And you hold the rest?—Yes, I let it to a tenant farmer named Carr, he works it as an ordinary farmer, he raises crops upon it principally, and sometimes he grazes a portion.

3489. What buildings are upon this farm?—One little cluster of workmen's cottages—three small cottages.

3490. Cottages—these you see on farms generally?—Yes, and one gatehouse down near the Reformatory.

3491. Is the old family house there?—Yes.

3492. What is the name of it?—Maryville.

3493. Has it sufficient drainage and water supply?—Yes.

3494. How much ground have you at Maryville?—Three or four acres.

3495. Do you hold that yourself?—Yes.

3496. Have you considered the question of the proposed extension of the borough?—Yes.

3497. In your opinion would it be injurious to the district in which your property is situated?—Yes, and it is quite unnecessary, and would be injurious to the farmer who has my land.

3498. And as far as you know to the district?—Yes, and I see no cause or use for it.

3499. You object, partly on the ground of the increased taxation and partly because of the unnecessary and vexatious regulations which would follow, and which are quite proper to the town, but quite improper to a country district?—It is not the increased taxation at the present time that is to be feared, because, I have no doubt about it that, the taxation put on at the present time might not amount to more than what probably we pay in the shape of county cess and poor rate, but the difficulty

3473. Do you think Windsor is not properly watched?—They have had several burglaries there.

3474. Mr. Bruce.—Is not the district lighted and watched up to the borough boundary, within a quarter of a mile of you?—Yes.

3475. Are you aware that that district is regularly patrolled up to the town boundary?—I am aware of that, but I do not know how often. I think the watching of the outskirts of towns generally is not carefully attended to, and I don't know that I ever saw an instance in which it was really good.

3476. When you speak of the outskirts, are you speaking of what comes within the town boundary?—I am speaking of the outskirts of a town generally. I do not speak of Belfast in particular.

3477. I think you told us that you have not a large experience of Belfast—that you do not go out much?—Yes.

3478. Mr. Weir.—Is yours a quiet district?—Yes.

3479. Of the ordinary nature, such as is the case in any country place?—Yes.

would be, as I say, in looking forward to the future in a place that is really an agricultural district.

3500. And is it, in your opinion, an agricultural district so far as you know?—Yes.

3501. CHAIRMAN.—In putting the question to you Mr. Weir assumes that regulations in force in Belfast are unnecessary and vexatious.

To Mr. Wilson.—Do you mean to import in your answer that you consider that the regulations which the Legislature has sanctioned in Belfast are vexatious?—No, sir.

3502. Mr. Weir.—You have disposed of the question of taxation, and you object to it principally because of the increase that there would be in future times?—Yes.

3503. Is that feeling grounded on the expectation that the body that is going to take you in are bound to expend large sums on improvements with which you have no concern. Is that so?—Yes.

3504. You say it is an agricultural district?—Yes.

3505. Do you believe it is injurious or the reverse to have applied to that agricultural district the town regulations?—I think it is quite unnecessary.

3506. Do you think it would be injurious?—I think it would be unnecessary and very injurious.

3507. With regard to the drainage you have mentioned at Maryville—is there any nuisance arising from that?—No, it is spread over the fields.

3508. Is there any overflow?—No.

3509. Do you require any system of drainage?—Not at all.

3510. Or the people similarly circumstanced as you are?—I know dozens of large houses just similarly placed. I may mention that I was born in the house, and have lived there all my life until lately.

3511. CHAIRMAN.—Am I to understand that dozens of large houses discharge their sewage into the fields;—Yes, they use it in their gardens.

3512. Mr. Weir.—You use it and it does not go off your own premises?—Yes, and the farmyard sewage is all utilized.

3513. Then there is no nuisance created?—I should say none at all.

3514. And a system of main drainage as far as you are concerned would be a luxury which you do not need?—Yes and which we do not wish to pay for.

3515. You know Mr. Atkinson's houses referred to in the advertisement here?—Yes.

3516. They have been built for years?—Yes.

3517. Is the progress of building in the district very slow?—Yes.

3518. CHAIRMAN.—When was it that these dozens

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Oct. 25, 1879.  
Mr. W. B.  
Weir.

of houses to which you have alluded, were built?—There are a considerable number of houses in the district of Malton—the house where the Locke family live, next door to Maryville—and Crummoor where Dr. Temple lives—all adopt the same principle.

3519. There are not new villas?—No; I do not know how the new villas are arranged.

3520. You are speaking of old houses such as yours?—Yes.

3521. And they use the sewage on the land?—Yes.

3522. Are the houses you refer to of that class?—Yes.

3523. Mr. Weir.—Do you object to the extension of the boundary as far as you are concerned?—Yes.

3524. Do you know a single individual there who is in favour of it?—Not one. I have conversed with many of them. I was not asked to sign the memorial, and I did not know of it.

3525. You are opposed to extension?—I think it is unnecessary. They would not light and watch as at present, and probably they would not charge us at present; but when they get us under their thumb they would charge us properly. They would give us the three watchmen we would be entitled to look after a district as big as the whole of Sydenham—why the thing is a perfect farce!

3526. And then they would levy 6s. 4d. l.—Then they would put us in for the whole of it.

3527. CHAIRMAN.—Do you think a system of watching desirable?—We need to do it with good watch dogs. I have seen policemen walking about the roads.

3528. Is it a possible district?—I never had occasion to call for a policeman for any purpose. I may mention that the boundary line suggested is very irregular. It is strange that they did not take a straight line.

Cross-examined by Mr. Anderson.

3529. You said that the application of the town regulations would be injurious to this district in which you have a quantity of land?—Yes.

3530. Are you aware how much was added to the borough in 1853?—I don't know.

3531. Well it was 5,000 acres—Did you inquire at all whether a single acre had been injured, or whether in point of fact it was not improved by the extension?—I have often heard residents of Windsor, with several of whom I am acquainted, speak of the absurdity of it. Some of those gentlemen were asked, and said they had not seen a policeman in the locality for months.

3532. Can you point out a single acre of the 5,000 added in 1853, which was not increased in value?—I cannot.

3533. You spoke of some of Mr. Atkinson's houses, being upset?—Yes.

3534. Can you point to any class of similar houses in the borough that have been upset for that time?—I am sure I could if I was to look around, but I do not remember any at the present moment. I could not specially point them out.

3535. With regard to this farmer who holds this ground from you—what terms does he hold it on?—At a yearly rent.

3536. Is the yearly letting with a view to take advantage of any building letting which you may be able to make?—Yes, portion of it is. There is a portion of the property which I would still be glad to let.

3537. Mr. Weir.—You have not let any of it yet?—No.

3538. And how long have you been owner of it?—I had an offer made for it about fifteen years ago.

3539. CHAIRMAN.—It was stated that a great portion was marked out there for building ground, and the roads laid out for that purpose—Do you know the price asked for it per acre?—I think it was £15 and £18, and so on. I have heard it talked about.

3540. You asked the reason of the irregular outline of the boundary contemplated?—Yes.

3541. The reason was stated to be that all within the proposed new boundary has been laid out in roads, with a view to, and in lots for building, and therefore the borough surveyor took what he considered to be the fairest line. You will see that coloured pink on the map has been laid out for building, and those roads have been made for giving frontages to the houses, and in addition to that he follows the township boundary which we are to keep to as near as possible if we extend at all. You said it was strange that they did not take a straight line from one point to another, and that is the reason they did not do that?—I see it now.

3542. Do you think, where this is laid out as a building district, with an entrance into it from the main road, it would not be desirable for that district to have those roads?—I think that until there are some houses that require it, there is very little necessity for it.

3543. There are 250 houses erected over the entire district, and under those circumstances would you not think it desirable to have the public roads?—We should, if it was necessary, but we never found any necessity for it in former years, and I don't see any necessity for it now. I do not think it is necessary for the roads generally.

3544. Mr. Weir.—You have mentioned something about the price you have heard talked about for building sites. I suppose that is for a favourite patch?—Yes.

3545. CHAIRMAN.—Did you ever name a price for your own land?—I asked £10.

3546. And that is not as desirably circumstanced as the others?—There is not very much difference. I would not like to take £10 for it now. One reason for my objection to the extension is that land is so dear that it is quite impossible for farmers to make that property pay them which comes under heavier rates than what it is under at the present time. If the rates, in other words, upon my property were increased, the man could not afford to live. As it is he is growling.

Mr. George  
Wagh.

Mr. GEORGE WAGH examined.

3547. Mr. Weir.—I believe you are a farmer in this district?—I have about 50 acres, the first farm on the west side of the Old Malton-road in the Lissburn Union. It crosses Stockman's Lane, and just takes a stripe of fifteen acres off my farm, and leaves some in the Lissburn Union and the rest in the borough and union of Belfast, and that is the thing I chiefly object to. I would be paying county-rates to one and borough rates to the other.

3548. Mr. Robinson.—In what electoral division is the portion in the Lissburn Union?—Upper Malone, I think.

3549. Mr. Weir.—And you would have to pay different poor rates for one part of your farm?—I suppose so.

3550. How is your land occupied?—I am a tenant at will; I have no lease.

3551. Where do you live?—On the farm; my grandfather built the house which I occupy.

3552. You are a tenant from year to year, and you have tenant-right?—Yes, and I would lose that.

3553. CHAIRMAN.—You need not fear that, as far as we are concerned.

3554. Mr. Weir.—You and your grandfather lived there?—Yes.

3555. Do you occupy it as a villa site, or as a farm?—There never was a villa site upon it. It is a regular farm. I have reaping and threshing machines, and it is occupied as a regular farm.

3556. I suppose the sewerage is the same as at

other place?—No; it is very valuable about the farm as a liquid manure.

3557. Have you any house upon it?—I have my own house and some cottage houses on it.

3558. How many?—Six or eight cottage houses.

3559. How many cattle have you?—Eight or ten.

3560. Have you horses?—Yes; you cannot farm without horses.

3561. In your opinion should your property be taken into Belfast?—I don't see any benefit to be gained by it.

3562. Do you object to the proposed annexation?—I do.

3563. Do you object to any increased taxation?—I think we have plenty at present.

3564. Would you object to be dealt with in the matter of your farm the same as the houses in Donegall-place?—I think it would be very hard if they were to object to my spreading manure over my fields, as I believe they could do if I was brought in.

3565. Would there not be serious injury to your farm if you were included?—I think so.

3566. CHAIRMAN.—Do you think it would injure your farm to be included in the borough of Belfast?—Yes, if they would not on the same law as they enforce in Donegall-street.

3567. Mr. Weir.—Suppose you went to sell anything are you compelled now to bring it within the borough boundary?—No.

3568. Would the effect be if they extended the boundary to extend the market regulations to you?—I don't know anything about that.

3569. Do you need any system of sewerage there other than you have?—I think not; we use it all, all we have, and we would be glad to have more, for it is very useful for the grass.

3570. Do you know of any street, or is there any terrace of houses except down at Balmoral station?—No houses built together.

3571. Or forming any side of a street?—I don't know of any.

3572. I suppose there might be an advantage to the public-house keeper there to be brought into the borough. Do you know why?—Yes, he could sell on Sundays.

3573. In your opinion is the sanitary condition of the neighbourhood good?—We are very healthy there generally.

3574. Do you want a people's park there?—I don't know anything about that.

3575. Do you feel the want of lamps out in that district?—No. We work as much as we can by day without lamp-light.

3576. Is it a quiet neighbourhood?—Very quiet.

3577. Sufficiently watched?—Yes.

3578. No robberies going on there that call for the special interference of the police, and not many cases of rioting?—No. It has never been brought up for the riots.

3579. Do you think it would be fair that you should be compelled to pay for the malicious injuries done in Belfast, or for cleaning the Blackstaff?—Certainly not.

3580. Do you think you should pay for the keeping of the new streets?—No.

3581. You think it is not for your interest to have anything to do with the Town Council?—Yes; and I have the names of thirty of my neighbours who also think so.

3582. Those are the names you knew?—Yes; and those were added to the other lists of persons who signed.

3583. As far as you know, is there a single individual in the district in favour of annexation?—All the parties I spoke to were against it.

3584. You never heard a man advocating it?—Not there.

3585. Are the roads well kept for country roads and for the use to which they are now put?—Uncommonly well kept.

3586. That is by Mr. Tait, the County Surveyor?—Yes, I think so.

3587. Is it in your opinion a rural district, from the borough boundary out to your place?—I think so.

3588. Do you know that there are a number of large farmers out there in the same position as yourself?—Yes; and they would have been here too but that they are very busy owing to the back-ward season.

3589. How much land has Mr. Gibson?—300 acres.

3590. CHAIRMAN.—Where are the 300 acres that Mr. Gibson has?—It is called Newford's Farm.

3591. Is it nearer Belfast than you?—He has some above and some below me, on the east side of the old Malone-road, and they take a strip off him the same as off me.

3592. Do you know any farmers who occupy farms nearer than you?—Mr. Chapman is one.

3593. Does he hold a large farm?—Thirty English acres.

3594. Does what you have said about yourself also apply to his land?—Yes; and he came to oppose it here.

3595. Mr. Weir.—Would you like to be looked after, but not by the Town Council?—Yes.

3596. Do the present authorities look after you?—They do.

3597. If you committed a great nuisance would they compel you to abate it?—Yes. They have done so in some cases.

3598. CHAIRMAN.—Tell us some of the cases in which they interfered. What nuisance did they compel the abatement of?—There was a washer-woman had a little water opposite her door, and she was spoken to by the police, and a man put a cartload of stuff upon it and closed the pool up.

3599. Mr. Weir.—You don't object to any supervision at all, but you do object to unreasonable supervision?—Yes.

3600. You do not object to the supervision of the Poor Law Board looking after nuisances?—I think not.

3601. You do not set up for being an autocrat in your own little farm?—Yes.

3602. You object to having the regulations of the Town Council applied to you the same as to people now within the boundary?—I think they are not applicable to me as a farmer.

3603. CHAIRMAN.—Do you know what the regulations of the Town Council are as applied to land?—I heard from some Town Councillors that I would be put under the Police and Purposes Rate, and a whole dozen of other rates, and that between one rate and another that they could raise me up to £s. 6d. in the pound.

Cross-examined by Mr. BAILEY.

3604. Who was the Town Councillor who told you that?—I will not tell you; it was private.

3605. You said that the people you spoke to were opposed to the extension?—Yes.

3606. I suppose those people were small farmers, and of the working classes?—Yes.

3607. And you did talk to farmers amongst those people you spoke to?—Yes.

3608. Did you say to any of them that you would be likely to lose your tenantry if you were joined to the town?—I never said anything about that.

3609. Do you think they thought so?—I don't know when I did not mention it.

3610. And you believe there would be a large increase in taxation?—I think so.

3611. And you also think that the interference of the Corporation would interfere very much with you, and your other co-tenants in the management of their farms?—Not very much if they would not carry out the same laws as in Belfast here.

3612. Do you know any farmers within the present boundary of the borough? Do you know John Ritchie

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Mr. George  
Wangh.

—I think he has a farm off the Malone-road—I have heard of him, but I would scarcely know him.

3613. Do you know Henry Taft?—Yes, I know him.

3614. Do you know that his farm is within the borough boundary?—Yes.

3615. Do you know Alexander Rooney?—Yes.

3616. He has a farm also inside the boundary?—Yes, but I think Alexander Rooney is not in the boundary.

3617. I will prove that he is?—He might have been once, but he is not in it now.

3618. There might be two of the same name—do you know Alexander Rooney who has a farm off the Limerick-road?—He is here himself, and he will be able to tell you that.

3619. At any rate, you know Taft?—Yes, I have seen him.

3620. And do you know other farmers who have farms within the borough?—Yes; I know some.

3621. Did you ever hear any farmer making any complaint that he was interfered with by the Corporation in the management of his farm—any one within

the borough?—I did not hear anything of that kind; but I heard that their taxes were a good bit up.

3622. Did you hear that they were prevented doing anything to their farms?—But it is in the power they might use if they liked.

3623. CHAIRMAN.—What taxes did you hear they paid—to what amount?—Well, some time ago—it was this very gentleman who told me about the proposed rate—

3624. How much do you say he paid?—£4 4s 6d a fl. in the pound. I will not say positively that that was the exact sum.

3625. Suppose, Mr. Wangh, your taxes were not a penny in the pound higher, only that the person you had to pay them to were the Town Council—would your objection remain the same then?—Well, there is the division of the farm; and when you see under the Town Council the taxation is every year more and more.

3626. Mr. Weir.—You would rather have nothing to do with the Corporation at all?—I would rather not under the circumstances, although I know that some of the members are decent enough.

Mr. Alex.  
Rooney.

Mr. ALEXANDER ROONEY examined.

3627. Mr. Weir.—I believe you hold land out in this proposed extension?—Yes, about twenty statute acres.

3628. Is there any other Alexander Rooney out there?—No.

3629. Have you leased any of it?—I have, sir.

3630. Have you prevented by your leases your tenants from building houses on it of less value than £1,000?—Yes.

3631. Have you made that condition?—Quite so.

3632. Is there any condition with regard to the distance from the public road that villas are to be erected?—Fifty feet from the proposed road.

3633. As far as you know, are those conditions the ordinary and common conditions in that district?—I don't know.

3634. CHAIRMAN.—Would you kindly show us your property on the map?—It is about fifty yards from the proposed road at Cherry-hill.

3635. What rent are you getting for the ground?—£25 an acre.

3636. As ground rent?—Yes.

3637. How many acres have you let?—Three to Mr. Lindsay, and one to Professor Everett.

3638. Is the rest of your ground in the market for building on?—Not at present.

3639. Is it your intention to let the rest if you can get tenants?—Yes.

3640. Mr. Weir.—Now, may I ask you what you expect to get for it?—I could have got £30 an acre for it, but I don't think I could get more than £15 now.

3641. You were offered £30, and you believe you could not get more than £15 now?—I believe I could not.

3642. It is going down instead of up?—Yes.

3643. How many years ago is it since you were offered £30?—Four or five years ago.

3644. It is very well situated, then land—is it not?—Yes.

3645. And you would like to get as much as you can for it?—I would.

3646. Is it possible to use a new sewer the Corporation constructed up there?—I don't think it is, from its level.

3647. CHAIRMAN.—What did you refuse the £20 for?—For building.

3648. Have you it as an agricultural holding?—At present I have.

3649. What rent do you pay for it yourself?—I pay £20 for the whole of it.

3650. That is £1 an acre?—Yes.

3651. Mr. Weir.—When did you take it?—It belonged to my grandfather.

3652. Then it is an old family property?—Yes.

3653. Do you find any want of sewerage up there?—None, beyond what I have.

3654. You are amply provided for in that respect?—Yes.

3655. What do you do with your sewage?—Put it over the land.

3656. You don't pollute the Blackstaff the way the Corporation does with sewage?—No.

3657. Have you lived there all your life?—I have.

3658. And know the district intimately?—Yes.

3659. Has it always been a purely country district?—It has.

3660. Except where a few villas are built?—Yes.

3661. And there has been very little building going on there for some years?—Very little.

3662. Is it well looked after for drainage?—Yes.

3663. And there are covenants against erecting any houses under £1,000 in value upon that property?—Yes.

3664. Is there any building district there at all?—None, except at Balmoral, and the only people living there are those near the Balmoral station.

3665. Are any houses built in streets?—None.

3666. Are any houses that are there farmers' houses and labourers' cottages such as you would find in any part of the country?—Yes.

3667. Do you know any other farmers on the townland?—I do.

3668. Would you mention some of them?—There is Mr. Cardile.

3669. What does Mr. Cardile hold?—He holds Mr. Wilson's ground.

3670. How many acres does he hold?—From twenty-two to thirty acres in all.

3671. Do you know other farmers holding large tracts of this proposed extension?—I do.

3672. And cultivating it as farms and not otherwise?—Yes.

3673. Are you able to say that those farmers use all the sewage on their own farms?—Yes; as far as I know.

3674. Are the villas well provided for too?—Sufficiently.

3675. Do you know any place in that district where there are thirty houses draining into a place like the Blackstaff, or anything like that?—None that I know of.

3676. Would you expect anyone to build below the railway?—No; it is not building ground.

3677. Is not Ballymurphy a purely agricultural district?—Yes.



3678. Ballydownfine has two houses?—I don't know that district.

3679. Is not all from you over to the Falls family agricultural land?—Yes; it is occupied by farmers who till the land in the usual way.

3680. And living on their farms as in other places?—Yes.

3681. Is there any want of lights there?—None.

3682. Is it sufficiently watched?—Yes.

3683. Are there any soldiers there?—None that I am aware of.

3684. Do the police look after the district?—The Democratic police come occasionally.

3685. Is it as well looked after as other parts of the borough, such as Windsor?—Yes.

3686. As well looked after in everything?—Yes; I think so.

3687. In your opinion would it be injurious to the district to have the Town Council's authority over it?—I should not like to.

3688. Would it be injurious?—I think so.

3689. Would it affect any new buildings going on?—I don't think the owners would like to pay the borough taxes.

3690. Would it put an end to building in that part?—I think so. People would not like to go out and live there if they had to pay the same taxes as in town.

3691. Do you think people would take the land from you?—I cannot tell.

3692. Do you think the increased taxation would tend to fill these houses with desirable tenants?—I think not.

3693. CHAIRMAN.—In the two houses you have made is the land let to the people free of all taxes?—Yes, except poor-rates.

3694. Then the taxes would fall on you?—Yes.

3695. Mr. Weir.—Therefore, as far as they are concerned, they pay you £25 a year, and they have nothing more to say to it?—Yes.

3696. Are you speaking for the general good of the district?—Yes.

3697. How much do you hold in your own hands at the present time?—Nearly twenty acres.

3698. Do you remember when the Town Council made the roads at Derryvolgowne at Windsor?—I do.

3699. Did you think that that was a considerable expenditure for avenues situated as they were?—I did.

3700. Was it a wasteful and unnecessary expenditure?—I think it was.

3701. Would you like to have avenues made in your district like that?—I should not.

3702. Would it be necessary?—Not at all.

3703. Would an expenditure of that kind be quite out of proportion to what was necessary for the district?—Certainly.

Cross-examined by Mr. Andrews.

3704. Mr. Rooney I am looking at the map, and you will correct me if I am wrong—does not University-road lead out to your property? Does the road that leads out to you pass Windsor?—It does.

3705. How far is that lighted out by the public lamps?—To the end of the borough.

3706. That is to the very edge of your ground?—Yes.

3707. And that is the very spot you get £25 an acre for?—It is.

RECEIVED  
Oct. 22, 1872.  
Mr. Allen  
Barrow.

Mr. GEORGE DEVEREAUX LEATHAM EXAMINED.

Mr. G. D.  
Leatham.

3708. Mr. Weir.—Are you a merchant in Belfast?—I am.

3709. Where do you live?—At Osborne Park.

3710. In the district proposed to be taken in?—Yes.

3711. Do you pay taxes in town?—I do.

3712. Is it on a considerable valuation?—It is on the valuation of the warehouse owned by the firm of which I am a member. I forget the valuation at present, but it is a large valuation.

3713. You know the district proposed to be included?—I know it pretty well.

3714. Is that in your opinion a rural or an urban district?—Most decidedly it is a rural district.

3715. Given up to large farms?—Occupied as farms.

3716. With a few villas here and there?—With a number of villas at Marlborough Park, Osborne Park, and Malrose Park.

3717. Are they built on continuous terraces or as villas?—They are semi-detached, and some separate.

3718. Are there a good class of houses?—Yes.

3719. Is the drainage properly looked after?—The drainage, especially of the part I live in, is good.

3720. And quite sufficient?—My own drainage is carried away by a drain which runs across the county road, and is piped away under the railway.

3721. CHAIRMAN.—Where does it go then?—It goes to the Bog Meadows.

3722. Who made that drain?—Part of it is a natural drain running behind the gardens until it comes to the county road.

3723. Is it then an open ditch?—Yes.

3724. Mr. Weir.—Is it at all offensive?—Not in the slightest degree.

3725. CHAIRMAN.—Was it ever offensive?—There was a slight offence when it ran across the county road, but the Poor Law Board compelled the owners of property to pipe it away so as to avoid that.

3726. Mr. Weir.—Is it your opinion that the Poor

Law Board is negligent of its duties there?—I believe they look fairly after them, and the case I have just mentioned is a proof of that.

3727. Do you know of any other cases of that kind?—I know of that very one.

3728. Is there anything in your opinion within the borough boundary of an offensive character?—I think that is pretty potent.

3729. Which is more negligent—the Town Council or the Poor Law Guardians?—I would not like to express an opinion.

3730. Do you know where the 30 houses are built that drain into the open drain inside the boundary?—I don't know them.

3731. Is there any want of lighting out in your district?—We do not require any extra lighting more than we have.

3732. CHAIRMAN.—What is the ground let for at Osborne Park?—£18 an acre.

3733. Is there much of it let?—There are in Osborne Park, speaking roughly, some six or eight villas.

3734. Mr. Weir.—How many acres of ground are occupied by these villas?—They are taken, as a general rule, in plots of about from one-third to half an acre, with just a small garden attached to each of them.

3735. At the rate of £18 an acre?—Yes.

3736. Is there much more land of that character unlet?—Yes; a large quantity.

3737. What is the price asked for it?—£18.

3738. Do you expect to live to see that covered with houses?—I do not expect to see it covered with houses within the next twenty years.

3739. Is the progress in that respect very slow?—Yes—I have lived there seven years, and there have been only three or four houses that have gone up.

3740. Are there any houses vacant at present, the owners of which cannot get tenants?—Yes.

3741. Would it improve the prospect of their being let if they were annexed to the town?—It would be a source of injury to them.

PROCEEDINGS.  
Oct. 26, 1876.  
Mr. G. D.  
Lushington.

3742. What is your reason for saying that?—The increase of taxation. Most of the people, I believe, have gone out there to be free from the town taxes. It was decidedly the object I had in going out there myself. If the house I purchased had been liable to borough taxation, I should never have bought it.

3743. Then you thought exempting the borough taxes would be a source of compensation for the inconvenience of going out there?—Yes.

3744. What other objection have you?—I would decidedly object to being under the control of the Town Council, the same remark of the other gentlemen who have appeared here.

3745. Is that the general objection?—Some of us have very strong feelings as to the management and the constitution of the Town Council.

3746. Do you think that the same regulations that are applied to the town should be applied out there?—Certainly not.

3747. Can you give us an example of that?—I do not see that we require the control of the Town Council out there, because there is really such a small population, and we do not require lighting because it would be a mere waste of gas to light the whole district.

3748. Do you object to be taxed for what you do not want?—Yes; and we are watched by the county police.

3749. Are you sufficiently watched?—We have a police barrack within two miles of the district, and men patrolling the district.

3750. Just as they would if they came from Belfast?—Yes.

3751. Is it as well watched as the part of the borough within the boundary?—Windsor?—Yes.

3752. And quite as peaceable?—Yes.

3753. And quite as healthy?—Yes, quite as healthy.

3754. You don't think you should pay both on your valuation in town and also in the country for the Belfast rates?—Quite so.

3755. Or for the cleansing of the Blackstaff?—Yes.

3756. CHAIRMAN.—Where do the artisans live who build the houses?—I think they live in Belfast.

3757. What has made your ground worth £18 an acre?—I am not a landowner.

3758. Have you any doubt that it is an account of its immediate vicinity to Belfast?—We do not consider ourselves so close to Belfast as you think.

3759. Can you suggest any reason except that far the land there bringing £18 an acre?—Well the owners of the land in every instance want to great expense in making avenues and laying out the ground, and making it fit for building ground, and planting it with shrubs and so on.

3760. Mr. Weir.—If you went to let it you would not get anything like that for it before that outcry?—Quite so.

3761. CHAIRMAN.—Mr. Weir asked you whether this was a purely rural district and you said yes?—Yes, except those parks.

3762. That is just the thing. You did not confine it in any way and your answer would be read as if the district to be brought in there was a rural district entirely. Is it in your opinion a purely rural district?—My answer did not apply to the parks. The parks there are entirely laid out for villa grounds.

3763. I believe you were about to mention just now that the £18 an acre was for agricultural land?—Quite so.

3764. Mr. Weir.—But that is a very small property?—Yes.

3765. CHAIRMAN.—How much of the land in Osborne Park has been laid out by the owner for building purposes?—I cannot say accurately—from thirty to fifty acres at a rough guess.

3766. Does that answer also apply to Marlborough Park?—I simply refer to Osborne Park, and you only asked me with regard to that.

3767. Mr. Weir.—I suppose you would not count it purely agricultural if a villa was actually built on it—

that would be an exception?—The entire district with the exception of those three parks is an agricultural district.

3768. Are the roads well kept there?—The roads kept by the county are as a rule very much better than those kept by the borough.

3769. Do you notice a difference when you come into the borough?—I have always observed that the county-road there is in much better order than when you enter the borough.

3770. What would be the effect on the value of the land in that district, and the progress of improvements there, if this proposed extension of the borough took place?—I think it would very much deteriorate the value of the land. I judge by myself; if that district had been in the town council's area I would never have been there.

Cross-examined by Mr. BROWN.

3771. I see you are down in the Poor Law as owning 12. and 20. of land?—That is just adjoining my house.

3772. For the land the valuation is £2 and the house and building is £40?—Yes, I pay at that rate.

3773. You said something about a police barrack Mr. Lushington, whereabouts is the police barrack?—It is the Dunsmyre police who watch the district.

3774. How many police watch the district that is proposed to be incorporated?—I don't know how many men, and I don't know anything of Dunsmyre further than going through it.

3775. Then you don't know how many men there are told off to attend to this district?—I don't know, but I see two of them at a time walking on the road.

3776. By day or night?—In the evening.

3777. Are you aware of any system of night patrolling?—I have seen them when driving home late myself. I have seen them at 8 or 9 o'clock.

3778. Where?—On the road. I have seen them at the entrance to Osborne Park.

3779. You said that you objected to the control of the Town Council—putting aside the question of taxation, in what respect would you be inconvenienced by the Town Council having control of this district?—I would just as soon you did not press me for an answer.

3780. But I wish you to give an answer?—I don't think it would be my duty to give an opinion of the Belfast Town Council.

3781. I don't want to know your opinion of the Town Council at all. I want to know in what respect you personally occupying this house in Osborne Park would be inconvenienced, supposing the Town Council had charge of the district—irrespective of any increased taxation?—I would just prefer to reserve my opinion because I don't think it would serve any object in my giving it. Many of us regard the Corporation as an extremely partial body and regard it as selected entirely from one side politically; and there is a very strong feeling in the minds of many on that subject; and we regard ourselves as not having any representation in the council.

3782. In what respect will it be an inconvenience?—Not more than in the matter of the money I would have to pay. I didn't mention that it would be any inconvenience.

3783. The only inconvenience from the proposed extension that you expect is that the taxation would be increased?—Yes, and that I want to come as close as my relationship to the Corporation of Belfast.

3784. You are a ratepayer of Belfast?—Yes.

3785. There was one in question which you were asked by Mr. Weir, and in which he sought to get words into your mouth—in which he implied that you thought the Corporation was more negligent than the Guardians as to sanitary arrangements. Are you aware of what staff the Corporation have at present for sanitary purposes?—I am not, but I am aware of this that we have had a great nuisance in Belfast—the Blackstaff, and nothing has been done for it.

3786. Are you aware that there is a constant supervision by a trained staff of the Corporation for the purpose of the regular inspection of nuisances over the Borough?—I observe that the sanitary reports of the sanitary committee appear from time to time at the meetings of the Council; that is all I know about it.

3787. I suppose you judge by results?—Yes, I judge by results.

3788. CHAIRMAN.—Has there ever been a sanitary rate put on you out there?—Yes; the Poor Law Guardians collect so much for sanitary purposes. I am not quite clear upon it, but I think they do.

3789. I believe your county rate is about 2s. 3d. ?—I think it is 2s. 3d.

3790. You are in Antwerp?—Yes.

3791. Mr. Weir.—About those private roads—are they well made?—The road through Malone Park is one of the handsomest roads in the kingdom.

3792. Do you think if the Corporation came to have

control over that district, they should have power to order him to make that road?—I think if the owner of the Malone Park was asked to make that road again, it would be a very great and serious hardship.

3793. And the rest of the roads?—They are well made and in good condition.

3794. Is the Malone Park road a private road?—Yes, a private road not taken up by the county.

3795. Are those the three roads in that district?—Yes, they are all kept up by the owners of the property, and are not taken up by the county.

3796. You know Deerpavolen-avenue?—Yes.

3797. Has it been maintained at private expense?—I could not say anything about that as there are very few houses built there. It has been made very nice and comfortable to walk on. I don't know whether it would be considered that the work has been done at too great expense. It might have waited probably a little longer.

## MR. THOMAS WORKMAN EXAMINED.

3798. Mr. Weir.—Do you live in the district, that it is proposed to annex to the borough?—I live in Windsor, and that is not outside the borough.

3799. Have you any property outside the borough?—I have.

3800. How much?—I have thirty-nine acres at Marlborough Park.

3801. You hold Marlborough Park with your younger brother?—Yes, I do.

3802. Are the houses there properly drained?—Yes.

3803. Are the roads properly made?—They are.

3804. Any need of more lighting?—I think not.

3805. Is the district sufficiently lighted and watched?—I think so.

3806. Are the roads as well kept as any that are within the borough?—They are; in fact I think they are better. For instance, I was out on the roads this morning, and it seems to me that certainly inside the borough they are as better than they should be, and I think that outside they are fully better.

3807. What about the lighting?—Of course in country places like that, the lighting is not required to the same extent as in town.

3808. Are there many lamps out there?—There are, generally; in that style of lamp out there, the owners put up lights at their gates.

3809. In your opinion would it be injurious to the district to have the Town Council powers extended over it?—Certainly.

3810. Explain how it would be injurious?—I live in the Windsor district, and when it was brought in a few years ago—it was considered fair enough before—by the Town Council, they put an enormous—a very serious amount of expense on the owners; and I would like to explain that, from a little drawing I made from looking into the matter, of part of the Windsor district. (The witness then explained his views by the drawing referred to.)

3811. CHAIRMAN.—What portion do you call this (referring to the drawing)?—I explain that the Corporation at that time—the time they took up the Windsor district—compelled the owners of the property to make a correspondence of footways and roads in that district, while they themselves have neglected to kerb the main roads, both the Malone and Listeria roads, as to put proper crossings upon them; and I say that I am afraid if Marlborough Park was added to the Corporation area it would be treated in the same way. My brother and myself would at the present time put so gates on Marlborough Park, but make it an open estuaries, but for this reason, that as long as we keep it private they cannot inflict these unnecessary expenses upon us, and as long as we keep them closed they could not come in and interfere with it; but if we made it public now, we could never take up the right again, and we would be always at their mercy—

compelling things to be done. My brother and myself have expended over £900 in making a road on our property, on which we have private gates at present, and my objection would be to lose my right as a private individual over those roads, or to place them in any way under the control of the Corporation least they might make me execute more extensive works than I have made up to the present, and which are quite sufficient for my district.

3812. What ground rent do you get for Marlborough Park?—A little over £30 an acre.

3813. How much have you set?—We have let about five acres here, I think.

3814. Are you asking the same for the rest?—We purpose to do so.

3815. You have made an enormous expenditure on that ground?—Yes, an enormous expenditure, so far; and it is still problematical if it will ever pay.

3816. CHAIRMAN.—How much money have you expended to make it worth £30 an acre to you, in your mind?—I think that by the time that we have gone on we have spent £900 in making the roads that run across Marlborough Park, and—

3817. I would rather take it altogether?—I would say that we have spent £1,500 so far.

3818. Did you do that, believing it would be a useful expenditure?—Yes.

3819. Do you own the property in fee?—I have a lease of it for 999 years.

3820. What are you paying yourself?—£18 10s.

3821. Did you pay anything for the purchase of it?—No.

3822. There was some reference made to the sewerage of Marlborough Park?—In what I have broached of the matter, I would certainly be sorry to say anything here that Mr. Montgomery would make I had never said, for he never said anything to me that he would not be glad I would say anywhere. I know that when I started with this ground, with my brother, Mr. Montgomery kindly gave us his views. He was of opinion we should alter the drainage, and personally he gave us a good deal of advice and assistance in these matters, and we, may be, troubled him a great deal in these areas. Our sewerage system has what is called an egg-shaped pipe for the bottom sewerage and a round-shaped pipe for the surface drainage. That idea Mr. Montgomery gave us, along with Mr. Robert Young, and we considered it of importance, as these gentlemen suggested this method, which was that of having two systems of drainage; and we then carried on the larger pipe into a large cesspool, and then we have from that cesspool another pipe which runs further down the road and goes into a cistern, which these gentlemen call a clearing system—a large tank about thirty feet long. Fifteen feet of that tank is filled up with bricks and stone, and such material; the water and sewerage matter which goes into the open part of

REMARKS.  
Oct. 22, 1878.  
Mr. G. D. Lenthorn.

Mr. Thomas Workman.

DEBATES.  
Oct. 12, 1873.  
—  
Mr. Thomas  
Watkins.

this then penetrates through this stone, earth, and bricks, and if there should be any overflow, it goes through that and runs down into the Blackstaff, but there is nothing further, and we consider that that would be a very simple and elaborate system to work on.

3833. Mr. Weir.—As I understand, you have gone to enormous expense to prevent any nuisance arising?—Yes.

3834. And in point of fact none does arise?—None.

3835. Did you get the best advice to prevent it?—Certainly.

3836. I think you stated that it would be injurious to the district to have it extended?—Yes, I think so, on that ground; but of course I must say that there might be something said as to other grounds, but my idea is purely for parties building. Gentlemen like to go out to a place near town where they are not under so many restrictions, or those that necessarily exist in a town—restrictions that in a town are very proper and right.

3837. Another point?—For instance, if I think to put out a bow window on a lower I am building, if it is within the town, I have to go down and consult and put down my papers before the Town Council. It might be—I am very glad to say that none of the Town Council have, nor ever had any grudge against me, but it might be the reverse; and it would be very uncomfortable for me to have to ask a favour of an official whom I had a grudge against—and, therefore, I think it is a little hardship that the state of things to which I refer should exist.

3838. CHAIRMAN.—Supposing there was a recommendation from us for an extension of the borough to bring in the building ground, but that provision should be made for the fact that gentlemen who built residences on plots of half an acre and upwards should not be interfered with by the borough surveyor in connection with the houses they had erected, and that he had not power to compel them to make sewers or tanks, except with an appeal to the Local Government Board, then there could not be any idea that there would be any oppression, or anything like oppression?—The thing might be regulated in that way, so as not to be injurious to us. My experience, and my knowledge of my father's property is of such a nature as to make me not certainly inclined to give myself under the Town Council, and also knowing that the restrictions of the town are getting stronger every day.

3839. Don't you think it would be right in a building district to have some restrictions on terraces of houses, and various houses of a particular class, and that there should be a different rule applicable to villa residences, and semi-detached residences which would not come within a certain distance of the road. Don't you think it might be met in that way?—Yes, I think so; but the district is in such a backward way that there is not any necessity for any interference of the kind for the next twenty years.

3840. Do you regard the fact that the district having been under a cloud for the last four or five years, in consequence of Belfast like every other town being in a depressed state owing to the state of business, is the real cause why there is no great disposition to build?—It is; but from my knowledge of the people who have taken property there is a great desire to get outside the borough boundary. I think that taxation, of course, is one reason, and the restrictions that are getting so necessary in the town is another; and if a district such as the one about which I have been speaking does not require those regulations it is a little hard that it should be brought in unless there is great necessity for so doing.

3841. Mr. Weir.—You think that in twenty years hence it may need some more supervision?—I think so; possibly.

3842. Between you and the landlord is there a middleman?—I think not.

3843. They get the £15 an acre?—Yes.

3844. Mr. Andrews.—You were good enough to

give us the rents you obtain in the Marlborough Park. What are the best lettings in the Windsor district present?—I could not say anything of the late lettings. My father twenty-five years ago paid £25 an acre for a letting in that district.

3845. So long ago as twenty-five years building ground was letting in the Windsor district at £35 an acre?—Yes.

3846. It has then largely decreased?—Yes. That is the reason that Mr. Sullivan said to you that the property he took at £30 it would take £40 to lay now.

3847. Do the building lettings in the Windsor district amount to £40 an acre?—It would take more than £40 to get them now.

3848. Is it not a district in which building has progressed?—There are very few buildings that have been put up within that district of late. Only three or four have been erected in the Windsor district within the last few years.

3849. But the letting has improved?—My mother has not any anxiety to let any part of her property.

3850. You spoke of the difference in the road when you came out of the Malvern district and into the borough. In point of fact, have not new main roads been made there quite recently?—Yes. But it must be two years since that sewer was completed and covered in.

3841. Have you any other objection to the way in which the road is kept?—I have an objection to the way in which the road is kept from Windsor up to Warrington Park, as there is no any kerbing, and from that to the boundary. It seems to me that it would be necessary that the Windsor portion should be kerbed, and that that should be done also.

3842. Are you aware that where it was kerbed at Windsor the inhabitants came to the Corporation and asked it to be done?—I don't know any one on the Windsor-road who ever asked for it to be done.

3843. You do not regard your own footways and roads being in any way perfect, I should say?—I do not think anyone would regard anything they have as perfection. I think for a road of the sort it is much better than any I know of.

3844. If you continue your lettings you would have to incur some further expenditure?—Not on the road.

3845. As to the footways, how are they made?—First of all they are cut out, and instead of kerbing we use grass. Then we put three inches of chimes (trails).

3846. A chime pathway without kerbing?—Yes.

3847. Don't you think there might be a little more expense on them without extravagance?—It will bear expense, but for the traffic on that road it is all probability it will be amply sufficient.

3848. But as you progress with lettings you will have to progress with expenditure?—That is probable.

3849. Are the results agreed on a general rule?—Yes.

3850. This is a district that is laid out for the very purpose of building?—Yes. Might I just draw attention to a street nearer town than Windsor—in Warrington Park, which is also a suburban portion, and across that road where private gentlemen live, the Town Council have made a public crossing, a thing they have not done in town.

3851. Is it within the borough?—Yes, but it is done at the expense of the holders of the property. It is a great nuisance the noise of the vehicles on the public, much more so than in town. The roads in town are quite level, but the vehicles bump over these people in the most disagreeable way.

3852. Have the Town Council a right, and have they exercised it of saying to owners of land within the borough at present which is building ground, "You must make your roads in a particular way"?—They have not only the right to do so, but they have done so.

3853. Even though it is let for villa residences—either singly or semi-detached?—Yes, but not to make

not go to unnecessary expense on what are private roads.

3854. Do you mean that they have made a man make an expensive a chain of road outside his place as the class of road they would make in a densely populated part of the town where the traffic was twice as much?—I mean to say that they have actually done so. You know that the road is kept strictly private, and that gates are kept upon it. They said to us in Windsor, "If you had kept your gates on, we could not have interfered with you. If it is a public road, we cannot take it off your hands until it passes our surveyor, and it must be done in that way"—and therefore it is done the same as every road that would be good enough, and most of the roads of the town are no better.

Mr. J. C. LINDSAY examined.

3858. Mr. Weir.—I believe you are a member of the Corporation?—I am.

3859. And a son of Mr. Thomas Lindsay, and a member of the firm of Lindsay Brothers?—Yes.

3860. What is the opinion of your firm with reference to the proposed extension?—They are opposed to the extension.

3861. They are very large ratepayers in the town of Belfast?—Yes.

3862. To what extent do they pay rates in the borough?—About £3,500 a year.

3863. Your valuation outside the borough is only £104?—Yes.

3864. Is the Town Council unanimous on this question?—No.

3865. When was it first brought up as far as you know?—I think about March last. That was the first meeting I was at.

3866. And the first public meeting of the Town Council at which it was brought forward was on the 1st of August?—Yes, a few days before the Commission sat.

3867. It was carried by the casting vote of the Mayor that it should be a committee on the 28th of July?—Yes.

3868. What is the opinion of the ratepayers within the borough?—I don't think they care. I think they are neutral.

3869. Is it a fact that the large majority of the ratepayers have expressed an opinion in its favour?—No.

3870. Has there been a public meeting of the ratepayers on the subject?—No.

3871. CHAIRMAN.—Has there been a meeting in the South ward?—Yes, two meetings in Lombard street.

3872. Has there been any meeting of the borough ratepayers in Belfast?—Of the borough ratepayers and the ratepayers outside also.

3873. Mr. Weir.—And what is the feeling outside?—Decidedly against: I have met no one who was in favour of it, and I met two that were neutral.

3874. Do you apply that to the Malone district particularly?—Yes, I refer to that particularly.

3875. In your opinion would it be a beneficial thing for this district to be included?—No, nor for the town either.

3876. What is your reason for saying that?—I think that the town has got quite enough to look after, the area is so large. It is much larger than other towns in Ireland. This proposal is an increase of sixty or seventy per cent. on the estimated valuation.

3877. You think it would be unwise for the town itself?—I think so.

3878. Do you think it is the first duty of the town to perform works necessary for the town that they have so long left unperformed?—I think so.

3879. The improvement of the Blackstaff and main drainage?—Yes; there is a large quantity of ground rebuilt on in the borough, and the Council will not

3880. Why was it you did not keep it as a private road?—Because we did not know better. That is what we are doing now with our own property. I would rather it was a public road.

3881. I put the question to you as to the number of buildings in the Windsor district, and your mother did not, you told me, care particularly about letting more for building, and it was not going on very rapidly there, but adjoining Windsor-avenue—do you know Derryvolga-avenue?—It is a cross-road, and I have not been through it very often. I don't think there are many buildings going on there.

3882. As a matter of fact there are 154 plans of buildings there?—I don't know anything about that.

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—  
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Mr. J. C.  
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pass some streets for the present on account of want of proper sewage.

3883. In fact, owing to the present provision for sewage in the town, it would prevent building going on?—Yes, we put in a plan to pass a street and they refused.

3884. What street was that?—Oroonoo-street, beyond the Ulster station.

3885. Are there large quantities of land within the borough suitable for villas?—Yes. In fact I think the borough should be lessened.

3886. In what way would you think it should be lessened?—Away by Ballygomartin and the White Rock-road. A large portion of that should not be in the borough at all.

3887. Is it a wise provision that which enables the Corporation to impose taxation whenever they like for lighting and watching?—I don't think it is. They have not that power absolutely.

3888. With respect to this district itself. You reside in this district?—Yes.

3889. And have lived there a long time?—Yes.

3890. Do you think there is any want of drainage or lighting in the district?—We have never heard of it.

3891. No lighting or watching?—None. Where there are private lamps the people don't light them.

3892. Is it a quiet district?—Yes.

3893. There are robberies inside the borough but none outside?—One gentleman had his place robbed three times.

3894. But you never heard of anything of the kind outside the borough?—I have just heard of one within my memory.

3895. We have had it here that the cost of lighting and watching would come to £329?—I don't know anything about that. The only difference between the people just inside the borough and those just outside is, that they have lamps for which they have to pay a rate of 2s. 2d. extra, and it is not worth that. The county rate is 2s. 2d., and the borough rate is 6s. 4d., and the only privilege they have over us is that they have lamps.

3896. In your opinion is the progress of building in this Malone district rapid or otherwise?—It is very slow. On forty acres inside the borough there has been not a house built for the last forty years.

3897. Is the land suitable for building?—Yes. I think about eight houses a year in the last five years would be the average in this district.

3898. Do you apply that to the whole of the district of 1,300 acres?—I do not know anything about the Ballygomartin part. On Stranaballin-road there has not been a house built for the last twenty years.

3899. Has the land been in the market for the last twenty years?—I don't know whether it is in the market or not.

3900. What would be the effect, in your opinion, of extending the borough to this place?—I think it would throw the building away outside.

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3898. Would that tendency be increased when they come to Belmont?—People aim to get outside the borough. When we went where we did, we did so for that purpose, and other people do the same thing.

3899. Would it affect the value of building ground?—If I had building ground there it would lessen the value of it considerably.

3900. CHAIRMAN.—To what extent?—I could not say.

3901. Is it from a feeling that the taxation would be increased?—Yes. But it is not alone taxation. People like to be free from restraint.

3902. Would you put no restraint on people at all?—The County Surveyor has certain power to prevent people from building within a certain distance of the public road.

3903. Yes, I know all about that?—Well nothing has occurred through that. Everything is going on all right.

3904. Is it your idea that there should be no supervision over the district?—I would not have supervision in those districts whatever the Town Council likes. If this supervision were carried out to the extent contemplated, a farmer if he wanted to remove a shed or to erect one would have to go down and get a plan of that shed passed at the Town Hall. I will give you an instance in Grovesend-street. We got a plan passed last week for a shed for a carpenter to work in, but in that case the Inspector stopped us. You are liable to have the same thing take place on a farm—I mean in reference to purchasing things on a farm instead of going to the market.

3905. You think farmers should not be taxed by that way?—I mean people coming in to sell their produce, without going to the markets, and if we do that in future we would be liable to be fined. We often buy things in that way, and we would be liable to be fined for not going to the markets.

3906. Then you are entirely opposed to extension on the ground of taxation, and also that it would be injurious on account of the regulations that would be imposed?—Yes; and I am also opposed as a large ratepayer of the town, as I do not think it would be beneficial to it. I think that the Council have got quite enough to look after without going outside and extending the borough search and proposed.

3907. Do you think street-making is injurious?—That it is injurious to the people to compel them to make the streets as the Town Council wish them to do?—I do.

3908. Do you think it would be injurious to have the roads made as the Town Council would like?—I think this kind of supervision would not be applicable to Windsor Avenue or Durnsley Avenue, or if for these avenues the same as the centre of the town. It may be good for the centre of the town to improve it at the expense of other people.

3909. Would it have the effect of reducing the value of the property?—Yes.

Cross-examined by Mr. Bruce.

3910. You live at Tyrone House?—Yes.

3911. And are within fifty yards of the nearest lamp?—Yes.

3912. Is it not the fact that you have really all the benefit of the borough watching as well as the borough lighting?—Yes; but we think we pay pretty well for the town as it is.

3913. But, as far as this house goes, you get all the benefit of the watching?—We are watched, but the town police have nothing to do with us at all.

3914. Don't the town police go out to the boundary?—Yes; but they don't go out to our gate.

3915. Don't the lamps go up to the boundary?—The lamps do not go quite up to the boundary.

3916. How many yards from it?—Within thirty yards of it.

3917. So that you have policemen within thirty yards of you?—I never saw any at all, except on

Sundays, and I do see the county police sometimes on Sundays.

3918. With reference to the severing of Grovesend-street—was it not proposed by you to sever it into the Blackthill?—It was, and there was not any other way of severing it; but there is a lot of other sewage in the Blackthill.

3919. Where was the shed you speak of?—Of Grovesend-street.

3920. Near the Ulster Railway station?—Beside the Ulster Railway goods station.

3921. Was this shed part of the plans of the street?—It had nothing to do with the street. It was a different plot of ground altogether.

3922. What was it for?—For our foreman carpenter to work in.

3923. You lodged plans?—I did not lodge any plans. We commenced to work without any plans—we thought it such a trifling thing, but the Inspector came round and stopped us, and said we would be fined if we did not stop.

3924. About what size was the shed?—Ten feet by six.

3925. And the plan was passed?—Yes; and we had to take it away on a guarantee stamp.

3926. That was a wooden erection not very far from the factory?—100 or 150 yards from the factory.

3927. Near a building?—Not very far from the row of houses we have.

3928. Are you aware that the Corporation have an objection to wooden buildings, on account of the danger of fire?—Well, there are a whole lot of these in the town; you will see one of them in Victoria-street, and we had to give a guarantee to take away the one I spoke of on six months' notice—we gave it on a guarantee stamp.

3929. Are you aware that the owner of the shed in Victoria-street is obliged to take that away on the same terms?—I suppose they treat others the same as us.

3930. I believe you sewer from Tyrone House into the town sewer?—Yes, but we pay for that. We get a sewer main, but we have not joined it yet.

3931. Where do you sewer at present?—Into a cesspool.

3932. You have power to make a connection, but you have not used it yet?—Mr. Montgomery frightened me when we got the thing done; he said it would be dangerous, so all the sewer gas from the rest of the town would run up to the high level—so I was afraid of it.

3933. CHAIRMAN.—You said that you knew a good many members of the Corporation who were opposed to this extension—in there any member to your knowledge, except the members of the Corporation residing in the outside districts, who is opposed to an extension of the boundary?—I think there are.

3934. How many?—I have been talking to two or three.

3935. Are they gentlemen who are exclusively resident within the present borough?—I cannot say.

3936. Members of the Town Council?—Yes, members of the Town Council. Several members of the Town Council have stated that if a vote was taken they were opposed to it.

3937. Can you mention any member of the Town Council of that view, except persons who have houses outside the present boundary?—I cannot say in the plural—I know of one.

3938. Mr. Weir.—Do you know of members who have expressed themselves in favour of it?—I have not heard of any one expressing himself decidedly in favour of it, except the Mayor, Mr. Black, and Mr. Gregg. Mr. Dickson was examined here and said he seconded the vote as a matter of form, and a great many voted for it as a matter of form.

3939. You said you would prefer the borough being limited—have you ever made any plan of it?—If there was any choice between extending and limiting the borough, I would go in for limiting it.

3940. Do you apply your observation to other districts?—I don't know much about that. I think Fort William Park and the Knock district, which are some five miles away, would be inside the borough; and some other places three miles away would be outside.

3941. Do you apply your observations to the Stranddown and Fort William districts?—Yes, I do.

3942. Mr. O'Connell.—I now wish to make a few observations on behalf of Mr. Wallace, who is among the farmers who have been mentioned here, and who would be deeply affected if the boundary was extended out to the townland of Knock, as the land is let out for agricultural purposes. To those who have land under such circumstances it is of the greatest possible importance that the point I am about to bring under the notice of the Commissioners should be considered. It has been stated that the farmers would pay no additional taxes, but I am prepared to show that by the Town Council's Act in reference to the markets an irrevocable tax will be put on the farmers in those districts. The first statute to which I shall refer is the Act of 1845, which provides that the Council shall be entitled to establish open markets "within the limits of this Act." It would appear as if that meant the municipal boundary, but what does it turn out to apply to—that the limits of the Act refer not merely to the municipal boundary as settled in 1845, but to the entire mayor of Belfast as well—without end within the limits. As the law stood in 1845, no person could sell within the mayor of Belfast any marketable commodity without paying a tax upon it. What I wish to do in regard to this matter is this: I want to bring under the notice of the Commissioners, who are impartial parties standing between my clients and the Corporation, and to call their attention to the sections of the Acts bearing on the point in the matter of taxation, and to show them that they cannot see their way to carry out the extension in the direction I have indicated without putting a tax upon the farmers who are going to be brought in. By the Act of 1847 they were authorized to make new markets. That Act adopted word for word the Markets and Fairs Chances Act, and section 25 of the Act of 1847 provides in relation to these new markets, and also in relation to the former markets—that no other person than a licensed hawkier shall be allowed to sell outside the markets—that is the same in the Markets and Fairs Chances Act—within the said mayor. The great injustice of that is actually rectified by the Act of 1850. In the 30th section of the Act of 1850 here is this injustice expressly stated in reference to those powers. Section 25 states—"The extent and population of the said mayor beyond said borough are very considerable, and the said provisions are calculated to cause great inconvenience and injury to the inhabitants thereof." That is expressly my point, and there it is rectified in their own statute—that so far as those outside the boundary are concerned the application of the Act would be the same

of great injury to them; and in consequence of that the intention is implied that that Act shall apply to the municipal boundary only; and after five years the people outside the borough boundary were relieved of that great injustice. We now come to the Act of 1845, which extended the boundaries. The Corporation have shown by the record of the mayor I have referred to that the first Act was grossly inconvenient and unjust. The second Act remedied the injustice, and the Act of 1853 widened the boundaries, and enacts the other Acts as far as that Act is not inconsistent with the other Acts. This is applicable only to the persons within the extended area of 1853. For those within the old boundary it is covered by the 15th section of the Markets Chances Act of 1847, and the present area of 1853 is covered by the proviso of the 4th section. If the districts proposed are taken into the borough boundary any grower who might go out and buy a cart-load of cabbage would render the owner liable to a penalty of 40s., if it was not for the domestic consumption of the buyer. On behalf of Mr. Wallace, who is about to set that land, I urge these considerations on you. The farmers who would take that land, if it is incorporated within the municipal area, will know that the produce of that land will be so taxed that they cannot enter into competition with the Americans, for instance, if the people within this area will render themselves liable to a penalty of 40s. if they sell anything, except they bring it in and pay toll upon it. At present the man who keeps a grower's shop can go out and buy his vegetables, and the purveyor who sells butter, milk, eggs, poultry, and so on, can go out and lay at the present time from the owner of the farm—can buy either that or any other produce—and they can sell it in their shops or dwelling-houses, and they have the privilege of selling these articles without paying any duty, but immediately the minute comes into force and we come within the boundary, that taxation is put upon the people, and the toll payable in Belfast are levied upon that 97 acres, and I say that that is such a substantial difference to the occupier of that farm that my client must lose immensely in the transaction. This is a very proper point to come before the Commissioners, because there are ambiguities in these Acts.

3943. Mr. Bruce.—I think what governs the whole is this—that a person residing within that area, within the extension of 1853, may sell to another person residing within that area.

3944. Mr. O'Connell.—Not at all.

3945. Mr. Andrews.—Show that a man cannot sell upon his farm.

3946. Mr. O'Connell.—The Act says he cannot sell except in his dwelling-house or shop.

3947. CHAIRMAN.—We will give proper weight to the views you have put before us.

The case of Fort William and Chichester Parks was then gone into.

3948. Mr. McMorris asked Mr. Montgomery.—Is the present proposal to extend the borough based on the principle that the taxation should be the same all over the borough, or that there should be differential taxation?—That there should be uniform taxation.

3949. Mr. H. McMorris then said.—I appear here for the inhabitants of Chichester park and of Fort William park, and I do not propose to weary the Commissioners with any lengthened remarks of mine. I may only remark that the sitting of the Commission came upon everyone here by surprise. It has come upon the people whom I represent by surprise, upon the Town Council by surprise, as Mr. Lindsey said, and I think also by surprise upon the ratepayers of Belfast. Immediately after the intimation was given that you were to sit here, the people whom

I represent held meetings, and they then unanimously—or I may say, almost unanimously, because I understand that only three members of the Town Council living in the district did not support us in our opposition to the extension of the borough area—with these exceptions the inhabitants had unanimously resolved to oppose the extension of the area in the direction of Fort William and Chichester parks, and since that resolution was formed, the short attention that they have been able to give to the plan that seems to have been before the minds of those who drew the border line where it is, has convinced them that the present proposal was utterly crude, and that there are numbers of blunders in it which would be alone sufficient to condemn it. What is the fact? They go into the districts of Fort William park and

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Mr. H.  
McMorris.

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Mr. H.  
M. H. H.

Chichester Park districts built over with a peculiar class of houses, and they have left out a nest of surmounts at the foot of the Cave Hill, where there is a village of workers' houses which it would not pay to take in. They have left out the trading community of Ligoniel, benefitting by the commerce and trade of Belfast, and they would ask you to say that that border is drawn with an enlightened conception of the interests of the borough, and the people whom they desire to bring in. If there is any community on the borders of the present line that benefits most by the trade and commerce of Belfast, it is the community of Ligoniel, and that is proposed to be excluded. It only remains for me to complete, I may say that circle of fire that has been drawn so deftly round the proposition of Mr. Black and Mr. Montgomery—for I take leave to say that it is their proposition, and not that of the Town Council of Belfast—and I think there is a fire that is concentrated upon them that must prove disastrous to any scheme, such as that now put forward. I say it with all respect to my friend Mr. Black—of whom I would not say one word that would be derogatory, or of Mr. Montgomery, whose engineering power and skill has so often been exemplified in Belfast, and is so well known—but with all respect to these gentlemen, I say it is their scheme and not that of the Corporation. And if it was not—why did not the Corporation come here, and give their reasons for including it? And you must remember those who have included it. But you have it in evidence that the Corporation are not unanimous on this occasion, but that there are a large number of the members—I do not know if there may not be a majority—but I am correct in saying that there is a large proportion opposed to this extension plan. Why don't these gentlemen who signed the resolution in the Town Council come forward and sustain their opinions as to the perfect propriety of the extension; and allow themselves to be cross-examined as to the reasons that caused them to take that step? They have not done so. They have remained behind. I can understand the influence exercised by my good and kindly friend Mr. Black, and I can understand that if I was a member of the Corporation, I would never ask Mr. Black for a reason for anything that he would propose to do. It is impossible to resist him. This is not an engineering question. If it were, or if it were a question to be settled by engineering knowledge, or by a representation to us by the officials of the Town Clerk's office, then I could understand why the Town Council should send delegates and reason with you by proxy. But this is not a question of that sort. This is a question involving every public interest which the Town Council are supposed to represent as the representatives of the ratepayers of Belfast, and the townpeople of Belfast, and who have no representatives here with the exception of the paid officials of the Council. Without saying, or even suggesting one word derogatory to my friends Mr. Black or Mr. Montgomery, I hold that this is not a matter to be dealt with by them, and they are not responsible to the ratepayers of Belfast. I say it here freely and boldly, that the gentlemen who appended their names to the resolution in the Town Council chamber, would not venture to come before the public of Belfast and sustain their action here with any valid reasons. There are two reasons why they should not. The first of these is, as the Chief Commissioner has mentioned, if there were to be an uniform rating in the district taken in—an uniform rating—that would be a great hardship, and a great injustice to the persons who would be brought in; and the Town Councillors who agreed to that proposition would not have the hardihood to come here and say that those people should be brought in to bear the increased taxation, which must be endured for the purpose of carrying out the public works, purely identified with the present borough area; nor would they come here and say that they would support a differential rating, because then the borough would suffer enormous loss

by the extension of the borough boundary, so that they are on the horns of a dilemma as that regard, as they did not want to be embarrassed, having in view the ordeal which is likely to come upon them in the approaching November elections. By their silence, and the fact that there has not been a member of the Corporation to come forward here and endorse the proposal, with the exception of Mr. Dixon—I think that should weigh with the Commissioners as a very valid reason why they should not recommend an extension of the boundary of the borough. Mr. Dixon has come forward, and his only action was that he was not included. Mr. Dixon came forward to prove that he was not a party to something that was suggested. There has not been a single argument or a single Town Councillor produced to show that the present scheme is for the interests of the people within the borough, or the people beyond the borough limits. What would justify the alienation of the present area? Public security? The interests of the ratepayers of the present borough? But I take it in the latter case, that the Commissioners are not going to hold that the interests of the present ratepayers of the borough are to be paramount to the interests of the residents around, and that the present borough is not to be a sort of maelstrom into which you are to draw the social interests and the money of the people around it. There is this fact, which is patent to every one—that they want to get a larger area for taxation, for the purpose of getting rid of the Blackstaff nuisance that they have been working at for thirty years, and for meeting those drainage works which are approved of by my friend Mr. Montgomery. For thirty years the Belfast Town Council have been allowing the Blackstaff nuisance, and they have done nothing but get expensive Acts of Parliament; and the only work they have achieved within that time has been the erection of barge and washhouses, and that created a sort of revolution. From that great achievement I will now pass, and then comes the drainage scheme—the new Blackstaff scheme they never carried out. They want the people of a neighbourhood which cannot profit by the drainage scheme and which cannot profit by their new streets to pay a uniform tax for the purpose of enabling them to carry out their plans. Is it not a fact that the main drainage scheme refused to by Mr. Montgomery and in vogue for several years was a scheme planned to suit the present area? It was not devised for the purpose of studying the interests of the people who are now sought to be brought in. All the great improvements for which we are asked to be taxed were all suggested for the advantage of persons who live within the borough as it at present exists, and it is most unfair that we should be asked to contribute to these things. Then comes the question, "Why were there not meetings of the ratepayers?" I may say with perfect confidence that this question has not been ventilated as it would have been if the Town Council were sincere in their projects. They can make speeches on other subjects, but there were no speeches on this. They can make speeches on the gas question, but there were no speeches on this, not a word on a question that is far more important than the gas question; but on the afternoon of an August day, a few days before you came down to make your investigation, they met and passed a resolution, but there were no steps taken to acquaint the ratepayers of Belfast—to give them an opportunity of considering this question, such a step as would have been taken if it had been connected with the election of a town councillor or an alderman for one of their wards. The Town Council have just done sufficient to make this matter a job-and-corner matter. They passed a resolution and sent Mr. Black and Mr. Montgomery to cover all their objections and supply all the information that they possessed, and to go through the entire of the Town Council scheme. Coming to Fort William and Chichester Park, I do not refer to Mr. Black's evidence on that matter, because his information did not do very much



in this direction. He gave general evidence, and it was very good indeed. Mr. Montgomery, who was competent to state all these matters—a gentleman of scientific training—I asked him what was his reason why these places should be included. What were his reasons? He gave two. One reason was that the people there should contribute their share to the large drainage scheme, that is, that the people of that place should contribute to complete the large main drainage scheme that Mr. Montgomery advocated years ago. I want you to consider this, the peculiar circumstances of Fort William and Chichester Parks. There are no streets in these places, they are absolutely as private grounds as the private grounds of any gentleman in the country. Chichester Park is a number of villa residences; it has no streets, and there is nothing in it in the nature of a town, and nothing in that place requiring the ordinary care of a town. The houses are not the same there, for there are conditions in them requiring that not more than one villa can be built on half an acre of land. In Fort William Park the same conditions prevail, and what is the fact? That in the whole district proposed to be there included there are 417 acres, and in it there are 47 villas, so that at the present time there are about nine acres to every villa. Surely such conditions as those do not necessarily impose upon the Town Council the trouble of coming out to look after them. Then again, what is the character of the inhabitants? They are not disorderly people. The people who live there dwell in a sort of Elysian repose. Being beyond the borough boundary they are not given to fierce political excitement, nor to the struggles engendered by religious animosities. Therefore, I ask, without the existence of drunkenness, disorderly conduct, or misbehaviour is there any necessity for their getting under the paternal jurisdiction of the Town Council. It would be strange if that fact did not occur before the Commissioners sitting here. Has there not been a curious disposition shown on the part of the Town Council? I have not said one word against the Town Council individually. In their corporate capacity they have not the confidence of the people of this town, or of the people who do not want to come under their control. I don't know that there has been a more monstrous opinion upon anything than there has been in this case. All the men who live outside come and tell you—"We don't want the Town Council to come and interfere with us. We can take care of ourselves." If that is true of Stansdown and the other districts it is doubly true in the case of Fort William Park. There are gates there which are locked the same as those of the residence of any private gentleman. Mr. Dunlop who is the owner of Chichester Park is there, and he will tell you that there is no necessity for lighting or watching that place. It is a most regular, orderly, place. They want no lighting in Chichester Park, there is no complaint of the lighting, and no necessity for watching. The Fort William Park people surely know their own necessities! There have been no burglaries committed there; the places where the most burglaries have been committed are places within the jurisdiction of the Town Council. As regards the sewerage of the place, Mr. Montgomery fairly admitted that in Fort William park there was a most excellent sewer constructed, and one quite adequate to carry off the sewage matter from the villas there. He said, however, that there was a defect as regards the exit of that sewer—where it discharges the matter on the sea coast, bordering on the railway. That is a difficulty I admit, but not one that is of material consequence in connection with the main drainage scheme. And if the main drainage scheme should be carried out as I hope it will, but believe it won't, they would have to carry their sewer down there, and the Fort William people would be able to avail themselves of it and pay for it—they would be able to do that without being called upon to come within the boundary from outside, and pay for the whole scheme. No allegation is made that the sanitary condition of Fort William Park

is bad, and the sewer there goes within twelve yards of the Town Council sewer. Mr. Montgomery stated to you in answer to a question that was put to him, that he objected to their sewers being made use of by people who did not pay for them. We don't want the use of the town sewer without paying for it: But we object to pay a rate as much as would be paid by people in Belfast whom we have constructed one at our own expense, such as will answer our purpose. That is a very different proposition imposing the sewage thrown out from Fort William Park was injurious to the public health &c.—The last Public Health Act—that for 1878—makes full provision for that. By the 31st section of that Act it is competent for the sanitary authorities of the adjoining district as you are aware, to arrange for the communication of their sewers and Mr. Young stated that the Chichester Park sewer could be made to communicate with the Town Council sewer at a cost of less than £30. There is authority for the Local Government Board to approve of that communication, and the Guardians have the power to carry it out. As regards the allegation that sewage has been discharged in Fort William Park, it will be proved to you that for three years there has not been a quart of sewage matter discharged there. Now, if as I have said, the communication with the sewers be made, as I have shown they can be made, what earthly shadow of excuse remains for asking you to include the Fort William people?—It has been said that the Guardians do not do their duty. This sanitary power is quite a recent authority and perhaps they are unfamiliar with the working of the Acts, but taking the conduct of the most negligent Board of Guardians and contrasting it with the public discharge of the duty of the Town Council of Belfast, might I not venture to say that the most delinquent Board of Guardians stands upon a pinnacle of duty when as compared with the utter disregard of duty shown by this Corporation for fifty years? I have shown that there is no pretence for saying that new sanitary works are required in these districts, and that there is not a shadow of pretext for saying that the Corporation could confer any benefit on Fort William and Chichester Parks, and I have shown on Mr. Montgomery's evidence that the extended area must pay 4s. 6d. or 4s. 10d. in the pound, the same as other persons in the borough, and they must be responsible for the liabilities of the borough, and Heaven only knows how far they may go. What is the present taxation? Whenever a public road is kept required in the county, the county rate is 2s. in the pound. Well the people of Fort William and Chichester parks come here to tell you that they are satisfied with the watching and everything in relation to their premises, and only want you to let them alone. There is another matter that I may mention as regards Fort William park to show the injustice, as involved here, in the leases the owner stipulates that he will make the roadway and sewer, and keep them in repair. On the faith of that contract the present grantees took their grants from the landlord. If the boundary is extended, the burden would be removed from the landlord, and placed on the shoulders of the tenant, and they are called upon to pay out of their pocket town taxes for which the landlord has stipulated to pay. Would not that be a grievance? As regards the proposition to put the proprietorial rates upon the occupiers of those places, nothing could be more unjust than that the liability should be shifted from the shoulders of the responsible persons, and placed on theirs. On what principle is this boundary to be extended? I have heard talk about getting other people to share the burdens of the people of Belfast. I have not heard that the necessities of the people of Belfast require it. Surely it is an important point whether the people who are to be brought in are likely to suffer by the change. If this can be done it surely should be for the well-being of the people, and if we show you that the particular circumstances of the place, as detailed by reasonable intelligent men, competent to discharge the duties of

EVIDENCE.  
Oct. 23, 1879.  
Mr. H.  
St. Martin.

Report.  
Oct. 25, 1879  
Mr. H.  
M'Nedie.

everyday life, are such that no advantage can accrue from this,—surely the Commissioners must report against this proposal,—this crude proposal, which has left out places that should be included, and included places that should have been left out, and if granted at this moment we would have an extended area for further mismanagement, and blundering of the Town Council of Belfast. They have enough to do if they attend to their duties and discharge them. I put it to the Commissioners,—is any cause shown why these places should be included? I contend that there is no

case made for the extension of the boundary, and that your report should be that these places should not be included. I have placed on record the formal protest of the people of the neighbourhood against the proposed extension. It is signed by everyone of the people residing in the neighbourhood, and with the exception of three members of the Town Council, it is the unanimous record of the people of that district against this exceedingly crude and erratic proposal of the Town Council. (See Appendix No. 11.)

Mr. Robert  
Dunlop.

Mr. ROBERT DUNLOP continued.

3260. Mr. M'Nedie—You are resident in Chichester Park district?—I am.

3261. You are Chairman of the Water Commissioners?—Not now, but I was for two years.

3262. You are a very large owner of property in the Dock Ward, and in other places in Belfast?—Yes.

3263. What is the character of the villas in Chichester park?—They are houses that were erected at a cost of from £1,000 to £2,000.

3264. About what extent of ground is attached to each villa?—There is over an acre on an average. There are over two acres to some and not quite an acre to others.

3265. How is the place lighted?—At the entrance gate there are two conspicuous lamps, and they are lighted every dark night. It is not necessary to light them on a clear night, and from the elevation of the park the rising ground at the entrance catches the lamps to light the greater part of the park.

3266. What about the watching?—I consider it amply watched. I have not heard of any robberies.

3267. The people there are orderly; you don't have any riots?—No. There are six or seven carriage gates; the main entrance gates are locked every night.

3268. Are you of opinion that the people there are satisfied with the present watching?—I have heard no complaints.

3269. There is a main sewer down the road?—Yes, I bought a map here in order to explain the nature of the sewerage.

[The witness then explained the sewerage by the map.]

3270. In your opinion could there be any possible objection to the sewerage of Chichester park if the present sewer was connected with the town drain?—I would consider it a great benefit to Belfast.

3261. How?—Great floods occasionally go down here two or three times a year, if they entered the sewer, the force of the water would clear the sewer and flush it completely. This place is frequently flooded 2 and 2½ feet deep.

3262. The Town Council ought to contribute to the Chichester park people for that benefit?—It is my impression that it would be a great benefit to the town.

3263. It was stated here in evidence I think by Mr. Montgomery, that there was sewage matter thrown off a portion of the Fortwilliam park lands, is that not—

Mr. Montgomery is incorrect there. Some years ago the ground being so low and flat the sewage was spread over, and it then created something like a nuisance. But it is not so now. It is conveyed away by a pipe.

3264. Is the drainage of Chichester park very much better than places about there—better than at Richmond?—There are several houses convenient to that, and it does not seem to be sewered at all.

3265. Is there a cesspool there?—Something like that.

3266. You would not have that in Chichester park?—I would prefer not.

3267. Can you tell us the general opinion of the people of that district as to this proposition?—As far as I have heard, and I have conversed with them frequently, they are satisfied as they are.

3268. How many meetings were held on the subject?—Several meetings were held—and one or two that I could not attend.

3269. Is it the opinion of the people that there would not be any advantage from being placed under the Town Council?—I think that the people would like to remain as they are.

3270. Do you know what the opinion of the members of the Town Council is that have thought fit to disappear from this inquiry?—No.

3271. You don't know whether or not they have changed their minds?—I am not aware.

3272. It was stated here by Mr. Montgomery, that Chichester park was a nuisance owing to the smell from its outlet, and that the sewerage passing from it was very smelly?—He must be in error. It cannot be smelly, as it cannot be seen.

3273. Is there anything else you would wish to state?—At present I am not aware. I may mention, however, that the part of the park that I hold under two leases in which leases there is a clause that a certain class of houses only can be built on that ground.

3274. What class?—I think this class of houses is to cost £700, and only two are to be attached to one block.

3275. Are the sanitary arrangements connected with these houses proper and right?—Yes. I might mention that as far as I have had to do with him—and I speak of every man as I find him—I must say as far as Mr. Montgomery is concerned, I have always found him and the officials of the Corporation most attentive and desirous of facilitating me in every way in my transactions I have had with them.

Cross-examined by Mr. Andrews.

3276. What building rents do you get for the letting of Chichester park—the part that you are aware of?—About £30 an acre—according to the situation or position.

3277. What is the highest?—The best is £35 at present I think.

3278. Have you an existing outfall for your drainage unless the place is connected?—Yes the outfall that has always been.

3279. You think that it would be an advantage to connect the drainage with the town sewers, in order that the sewer waters and the flood waters might flush the drains of Belfast?—Yes.

3280. At present you have no outfall?—We have running water, and that is the same.

3281. The outfall is the overflow into that stream?—Yes.

3282. Have you ever fully understood the importance of lighting out there?—Perhaps not.

3283. Did you make any application to the Gas Committee for the purpose of getting lighting there?—Yes I made application to the Gas Committee to put gas to the park for the purpose of lighting the houses out there.

3284. You thought that important?—There is no use putting gas conveniences or fittings into houses, unless you have gas into them.

3285. Would you think it of advantage to have



SENATOR  
Oct. 26, 1878.  
Mr. Henry  
Ritter

4035. Had you anything to do with the signature to that memorial—you don't say it was signed by every one?—I think it is signed by nearly every one, except the three gentlemen who were members of the Town Council, and some who were sick.

4036. I don't see the name of Mr. Lanyon to it. He lives at Fort William?—He does not live at Fort William.

4037. Mr. McMorris.—There were four persons

sick, three were from home, and three persons were members of the Town Council.

4038. CHAIRMAN.—You say the district does not want either watching or lighting?—No.

4039. Then your taxation would be the same if under the Corporation?—I am afraid they would put up the lights. We do not want to go into partnership at all in this business if we can help it.

Mr. H. W.  
Fryer.

4040. Mr. McMorris.—You reside at Fort William Park?—I do.

4041. And are the owner of large premises in the borough?—Yes.

4042. Do you pay a large amount to the general taxation of the borough?—Yes.

4043. What is your opinion about the propriety of enclosing Fort William Park within the area?—I would certainly object to it.

4044. For what reasons?—I think there is no necessity, and that there would be no necessity for the next twenty years for either watching, lighting, or sewerage arrangements.

4045. What is the opinion of the people of the neighbourhood?—They are almost unanimous in their opposition.

4046. Have you seen any members of the Town Council on this subject recently—are you able or not to say whether any change has been worked in their opinions of late?—I have had some conversation with them, but I cannot say what their private opinion is in the matter.

4047. You signed the memorial?—Yes.

4048. You went out for the express purpose of getting outside the borough?—Yes; I was one of the first who took land from Mr. Valentine.

4049. You do not wish to come under the Town Council?—I think it would be a very hard case. I have got about 400 feet of frontage along the Antrim-road, and I want to considerable expense with regard to my sewerage, got it carried down to Fort William, and have had the sewerage extended along the Antrim-road, and I shall be called upon to pay for this sewer which will be of no use to me, and which I could have no use for.

4050. Have you any other reason that you wish to urge?—I certainly feel decidedly opposed to having the taxation increased if the borough is extended, and I don't think we want it for the present.

4051. Are you aware that the proposition is to pay the same taxation in your case as the people pay in the borough—did you hear Mr. Montgomery admit that?—I did not.

4052. So that if there was not a differential taxation you would have to pay the full rate?—I am sure of it.

4053. What would you think about undertaking a share of the burdens of the borough with regard to the roadways and sewers?—I think it would be most unjust.

Mr. RICHARD W. PIERCE examined.

4054. CHAIRMAN.—Suppose that the recommendation of the Select Committee of the House of Commons was carried out, namely,—that the taxation should be divided between the landlord and tenant, and that half of the rates you would be called upon to pay should be thrown upon the landlord—would that alter your idea?—That might make some difference, but it happens that I am my own landlord, and I might object. I went out there purposely to avoid taxation.

4055. Did you select that place with the idea that it had great advantages from its proximity to Belfast, while you escaped the taxation of the borough?—Yes, certainly. I did not purchase it as building ground, but simply as my residence.

Cross-examined.

4056. Mr. Andrew.—Am I right in collecting from your evidence that your apprehension is increased taxation?—That is one objection.

4057. Is that the substantial objection?—Yes.

4058. You have mentioned that you have gone to considerable expense in the making of new drains, and that it would be very hard that you should be taxed?—Yes.

4059. Then it is only right to tell you that that is one of the things already provided for, because the Act of 1878 enables the Corporation, if any land is sufficiently drained, to deduct from the rates in regard thereof. Section 76 of that Act would protect you from any injury of that kind. I want to ask you do you know the present boundary there—at a place called Ballymilk-lane?—Yes.

4060. Is not that in an unsatisfactory condition?—Yes.

4061. As regards police supervision?—The side is in the county, and the other side is in the borough, but we derive no inconvenience from it at present.

4062. Would it not be convenient to have that lane looked after under one police supervision?—It might be, but at present we do not feel any inconvenience from it.

4063. Do the inhabitants on that side regard that as present, very nearly as a nuisance?—Not that I am aware of. I have not heard so. A few years ago I heard Sir John Preston speak about it. The Constabulary were spoken to about it long since, and I think it is better looked after now.

Mr. John PIERCE.

Mr. JOHN PIERCE examined.

4064. Mr. McMorris.—You reside in Cluckaster Park?—Yes.

4065. You have signed the memorial?—Yes.

4066. What is the opinion of the people there—do they object to this extension?—They have a strong objection to it.

4067. On what grounds?—Those stated in the memorial—the increase of taxation, and their objection to the supervision of the Town Council.

4068. Could you derive any benefit from being included within the borough area?—Nothing that we think we require. We are perfectly satisfied as we are.

4069. What would it cost you to connect your sewer with the existing sewer of the Town Council?

—I believe less than £30 from inquiries that we have made.

4070. I believe they are ready to pay their contribution to the Town Council for the purpose?—Yes, everyone I have spoken to is quite ready to do so.

4071. Are you in communication with the Council to have the drains connected?—We have not gone to them yet, but we are taking preliminary steps.

4072. That is under the Public Health Act—the 31st section?—Yes.

4073. Are you able to say what is the opinion amongst members of the Corporation as to this scheme?—I have not spoken to many of them, but I have to some. The gentleman who resided in the neighbourhood thought it might be of advantage to come under

the care of the Corporation, because he feared he would save twopenny in the pound on his taxation, but Mr. Montgomery according to his statement shows, that we would have to pay 3s. 7d. Another member of the Corporation to whom I spoke told me that he understood that the feeling among a large number of members was that this scheme was quite premature. He himself thought the time had not arrived when Chichester Park should be brought in, and he believed the scheme should not have been brought forward at all.

4074. You spoke to Mr. Thomas Browne about it and I believe he is strongly opposed to it—I have not spoken to him on the subject at all.

4075. Do you think the misapprehension of Belfast had a fair opportunity of procuring upon this scheme?—I do not. We think a value has been sprung upon us completely, and no fair opportunity given for consideration. The interval that has elapsed since the Commissioners were here before, has allowed us outside the boundary to express our opinion, and we see plainly that the people inside the boundary have not expressed an opinion contrary to the opinions that we have put forward. Our first meeting was public, and we have gained many of the outside people, and it has been known that this opposition has been going on, and inside the boundary the people have taken no steps to oppose us. On the contrary a member of the Corporation has come forward and told me, as I have already mentioned that a large number of the members consider that this scheme is quite premature.

4076. Is there any sanitary rate struck in the Port William district by the Guardians?—We pay poor rate.

4077. Is there any portion of that for sanitary purposes?—No, I don't think so, but we are quite willing to pay a sanitary rate.

4078. Are the guardians not carrying on any sanitary works in that district?—No; but we are intending to do so, and we are taking steps.

4079. That is to construct a sewer for twelve yards?—Yes.

4080. That is all that is required?—Yes. At present there is no nuisance at all.

4081. Do you know the workmen's cottages at the foot of the Cave Hill?—Yes.

4082. Are they low houses there?—Yes.

4083. What is the sanitary condition of that small village?—It is perfectly disgraceful. On the road opposite it is difficult to walk along in consequence of the quantities of nuisance lying there.

4084. Are they excluded from the proposed boundary?—Yes.

4085. Don't you think that one of the places that might fairly be included is Ligoniel?—Yes; for if any place requires supervision that place does.

4086. How many people live there?—Several thousands—I cannot say exactly. It is a very strange thing if they meant to include us, that they did not go to Ligoniel.

4087. What is the general character of the district along the Limestone-road up to the present borough boundary?—It is nearly all fields along the Antrim-road, scattered occasionally with houses.

4088. Mr. Montgomery spoke of one policeman being sufficient to watch that district, and he put the cost of watching at £150 a year. What would be the cost of one policeman?—It would require three men at 25s. each—that would be £300 a year. He would not give better policemen to watch the district.

4089. What would be the cost of doing it?—Three men to do the duty would cost £300 a year besides supervision.

4090. As far as watching is concerned, what would be the cost to the inhabitants for doing the watching of the district as it is done by the Town Council?—The policemen would cost £300. I can only say that

the watching along the Antrim-road inside the boundary is not at all considered any such advantage. It is only occasionally you can meet a policeman along there.

4091. You don't want any further watching than you have yourself, what the county give you?—Yes.

4092. What is the county cost?—3s. 3d.

4093. If brought in you would have to pay the full taxes of the borough?—Yes.

4094. That would be a great injustice?—Yes, an extreme injustice.

4095. You heard something about the valuation of Liverpool, and the suggestion that there should be a valuation on the same principle in Belfast. What would you think of such a suggestion?—I think it would be grossly unfair. Even the best parts of Belfast are not anything like as valuable as the best parts of Liverpool. I know something of the rents of Liverpool, and I therefore judge of the valuation as being correspondingly high in Liverpool.

4096. Are there not some places in the town that require attention as regards sanitary matters?—Yes.

4097. Do you think it would be better to put the town in a satisfactory condition before they go to the outlying suburbs or districts which do not require their assistance?—I think they have quite enough to do.

4098. Don't you think it would take twenty years if the Town Council attended to the business that they have to do, to set matters right in the town?—Yes; I think they should do something before they take in other people.

Examined by Mr. O'Connell.

4099. Do you see Mr. Wallace's thirty acres on the map?—Yes, I do.

4100. Is it not a pure field?—Yes, it is a dairy farm.

Cross-examined by Mr. Bruce.

4101. Do you consider that Port William Park and Chichester Park is a rural district?—Yes, a villa district of ordinary good houses, and not small houses.

4102. Is it not substantially your objection, that you do not want to be subject to extra taxation?—Yes.

4103. You don't mean to tell me, supposing that taxation was a necessity that you would not rather be lighted than not. Supposing that the taxation was put upon you, and that you were obliged to pay it, and that the taxing body said to you—"Would you rather that Port William Park and Chichester Park were lighted, or would you rather that they were not?" Would you say that you would rather have them lighted, supposing you had not anything to pay for it?—I think we may as well take the full value, but we don't think we want it.

4104. Then there would be value in having them lighted?—I think so.

4105. In a similar way, supposing that taxation was out of the matter, would you not rather have these roads patrolled and regularly watched than left to themselves, as at the present time?—I think they are as well taken care of as they could be.

4106. But the evidence is that they are not taken care of?—They are taken care of.

4107. Who takes care of them?—The county police.

4108. That is why you lock your gates?—I am living on the Antrim-road, on part of the property owned by Mr. Dunlop.

4109. You are not in Chichester Park, then?—I have a separate entrance and a separate gate.

4110. How often have you seen county policemen there at night?—I cannot tell how often at night, but I know that in daylight you can frequently see them going by, and we get very efficient assistance from them.

4111. Camusgarra?—What is the nearest police station and petty sessions court?—Whitehouse.

4112. How far is that?—Two or two and a half miles, in a direct line.

Examined.  
Oct. 10, 1879.  
—  
Mr. John Fin.

BELFAST.  
Oct. 25, 1879.  
Mr. COCHRANE,  
C.R.

Mr. COCHRANE, C.R., re-examined.

4113. Mr. COCHRANE.—You are on the map, at the north-east corner of Fort William Park, there are 30a. 9r. of land owned by Mr. Wallace of Downpatrick?—Yes.

4114. That is a different townland from any of the other portions. —Yes.

4115. What is the name of that townland?—Ballynaghen.

4116. Is there any house on it except a farm house?—Nothing but a caretaker's house, which is not a farm house.

Mr. W. H.  
BRANDEN.

Mr. W. H. BRANDEN, examined.

4121. CHAIRMAN.—Will you kindly give us your views on the question of the extension of the borough boundary?—I hold, sir, that it would be a very important thing, not only to the town but also to the district of Malone, that some central local authority should have control over us. I hold that that is a first principle. The only difficulty in my way is that of taxation, and if the Commissioners, in their wisdom, can devise any scheme of differential taxation, I believe that that is the proper solution of the present difficulty, and I believe that if there was such a scheme devised it would cut away the ground from the feet of the opposition. In the district where I live—as Marlborough Park—I own some villas, and more at Malone Lower. I have some building ground. It is at present in a very fair condition, so far as sanitary matters are concerned, but I am afraid that as it becomes built upon there will not be proper supervision in sanitary matters, and that it will be absolutely necessary that there should be some authority over us.

4122. In addition to sanitary matters, do you think it would be desirable also with regard to the regulations of building, how they should be built, and so on?—Yes; I think we should have some sanitary and regulating authority.

4123. Something tantamount to what is done in Belfast as to the supervision of buildings, and that that should be made applicable to the district?—Yes, and that there should be some board to carry that out without adding materially to the taxation of the district. The county cess is 2s. 3d. at present, and I think a small rate, say of 6d., would be ample for many years to come to carry out any expense in the district.

4124. Do you think it would be necessary to light and watch it?—No, except in Marlborough Park, but in a short time it would require to be lighted. Oulacross and Malone Park would not require to be lighted.

4125. Would it be desirable, in your opinion, to

4117. What rent does he pay?—The grading is annually let from year to year, and I think he pays 4116s. an acre.

4118. How much of it is within the proposed boundary?—30a. 9r.

4119. What I contend is that this townland should be left out. It is a separate townland, and there is not a single house upon it.

4120. CHAIRMAN.—Is there any building ground there?—Not an inch of it.

have that district brought under some board, and in watching, lighting, and sanitary arrangements placed under some controlling body?—Yes.

4126. What would you say about a fire brigade for that district? Would you not think that desirable in a district filled with villa residences?—As a rule there are very few fires.

4127. Supposing that building was to go on out there would you not think it desirable that there should be some protection of that kind?—I think there should be some machinery devised, either by yourselves or by Parliament for the purpose of applying from time to time the entire powers of the Belfast Corporation to those districts as occasion would require—or they would get largely built upon. I have nothing further to say than in reference to a statement that was made here that the country-roads leading into Belfast are better outside than inside the borough. I am in the habit of driving over the old and new Lisburne road every day, and within the last fortnight I have been obliged to leave the new Lisburne-road and go on the other road.

Examined by Mr. ROSE.

4128. You are in favour of the control of the Town Council provided they charge a rate equal to the Grand Jurymen, and a small additional rate for doing necessary things?—Yes.

4129. Mr. COCHRANE.—But you are against applying the building powers of the Corporation at once?—Yes, but I believe also it is against the practice of the Town Council for in some places taken in in 1858 there were cases in which fifteen or sixteen years elapsed before they were brought in. The only difficulty I see in this is that the Town Council are a movable body. When we get a new Town Council we have no guarantee that it will not be the reverse of what it is to-day. If we could find the Corporation so that its powers would not be harshly exercised it would be most desirable.

The inquiry was then adjourned.

OCT. 26, 1879.

## NINTH DAY.—BELFAST.—OCTOBER 24, 1879.

4130. Mr. WILLIAM S. BOYD.—With reference to the action taken in promoting the Stranstown township, and the memorial forwarded to the Local Government Board I wish to make an explanation which I consider to be of some importance. The reply to a letter without the letter itself does not enable a proper opinion to be formed.

4131. CHAIRMAN.—We will get all the correspondence from the Local Government Board.

4132. Mr. BOYD.—One of the statements on which the greatest stress was laid was with regard to the lighting [paragraph No. 4]. The fact of the mains being laid there along the main roads would have enabled the lamps to be placed on them and there was no means for providing for that expenditure.

4133. Mr. ROSE.—You say in fact that you are in favour of lighting, but that you only wanted the means of carrying out that.

4134. Mr. BOYD.—We don't think it so important that it would increase the value of our property to any great extent. Now I wish to say a word as to the paragraph "as to watching." With reference to that I would say there was a feeling that we were entitled to more police, but that there was no public body to give them. Sir Thomas McClure told us he applied for them, but his application was not attended to. We were advised that the Police Act actually entitled us to them and the constabulary said if they had a small increase, of two or three men to stop the nuisance of corner boys it would be of advantage. The sergeant of police spoke to me what the township was created, and said it would relieve him of considerable trouble and tend to put an end to these corner boys if there were two or three more men. I got that clause added as to the roughs. I think I added it in the draft. The district is thinly populated and there is

a considerable quantity of game on it and I knew that bodies of fifteen to twenty men went out there on Sunday mornings, mostly, at three or four in the morning. I myself have had seven convictions within the past seven years against parties for breaches of the game laws. The constables in the district could say that they saw men and caught these retreating with game along the road, but had not a sufficient force to place men watching at the two entrances to the district. Now as to burglaries I must say I only remember two burglaries to have been committed in all my time there. Indeed it was specially exempt from such crimes as compared with other suburbs. This statement with reference to the ranga was caused by the constable saying they could not deal with the corner boys at Cornerwater bridge and Stranstown and those pouchers, and is in no way inconsistent with the evidence given by the witnesses that they left their doors open. We acknowledge that these things do exist; but we thought we saw a way of dealing with them through the watchship—the evidence is not inconsistent with that. As to clause 6 that refers solely to the Stranstown village not very far from the centre of the townland of Stranstown. At that time we were advised there was no means for the guardians to provide water without supplying it for the whole townland of Stranstown. But that want has been remedied and the guardians struck a special rate on the village of Stranstown.

4135. CHAIRMAN.—What was the amount of that £3d. in the £. I think that is only for one year, but they got pump water with a wheel pump.

4136. Mr. Robinson.—What was the district contributory to the rate?—Just the village of Stranstown—mainly Dr. Ritchie's property I think—the whole rate was not £100. The difficulty before was least the district made contributory would include persons living far away who would be in no way benefited by it.

4137. Mr. Ross.—The Cornerwater divides two electoral divisions?—I believe so.

4138. Mr. Andrews, Q.C.—A great many of the questions that have been put, and a good deal of the discussions that have taken place, have been with reference to a matter of no little importance, namely, the condition of the roads. On this point it will be my duty to place before you some evidence as to the actual condition of them, and in doing that I do not think that it will be necessary to occupy you at any very great length. While on this point I would take the liberty of suggesting that it would be satisfactory if the Commissioners could see these roads themselves. I had the advantage myself of driving over them, and though I am not going to give evidence, I may be permitted to say this, that it would be almost impossible from the evidence to understand the condition of the good roads and the indifferent ones, without having an opportunity of seeing them. I intend to offer the evidence of gentlemen acquainted with the condition of these roads, and then I will take the liberty of making a few observations on that branch of the inquiry.

4139. CHAIRMAN.—There is only one gentleman who in the course of the inquiry said that, in his opinion, the roads inside the borough were worse than those immediately outside; as against that there was the evidence of Mr. Workman and one or two other gentlemen who spoke from their own personal knowledge.

4140. Mr. Andrews.—It is not so much that as a matter that was referred to by my friends, and it impressed me as being exceedingly just. They said—take Stranstown, and, referring to the definitions we have in the Ballist Corporation Acts, there are a vast number of thoroughfares which come within that, and it would be a very oppressive thing if the inhabitants were to have a very large liability in connection with

these, which they are not under now, and which they say they are able to do without. It is more in connection with these roads that I wish to give a short explanation of their condition, and to suggest that you should take an opportunity of driving over them.

4141. Mr. O'Connell.—I say mention that a gentleman whose name is in favour of incorporating the district (I am not at liberty to mention his name), stated to me that where the roads were made—roads intended to be semi-private—they were made excellent in every way, and attracted an immense deal of traffic over them for short cuts; and in their own defence the owners were obliged to let the road down again, to prevent having such traffic over them in that way.

4142. CHAIRMAN.—It is a pity a gentleman was not put on those roads if the owners wished to exclude the general public from using them.

4143. Mr. O'Connell.—It shows they should be all brought within the houses.

4144. Mr. Andrews.—It is plain the plan of leases has broken down.

4145. Mr. Duinen.—There was a letter read yesterday purporting to come from Mr. Hamilton Cumming of Knock. I don't know, and indeed it would be hard to say, if that letter really emanates from that gentleman. There are here present half a dozen persons prepared to repudiate the statements of Mr. Hamilton Cumming, and we would ask you to erase that letter from your notes as perfectly worthless.

4146. CHAIRMAN.—It is written on paper headed in print, "23, Douglas place," with the date filled in.

4147. Mr. Duinen.—Assuming then, that it is his, my clients wish him to come up for cross-examination.

4148. Mr. Robinson.—You can put any reply you wish to make to his statements in writing, and we will reserve it.

4149. Mr. Duinen.—The letter should not be put on the notes; it is like an anonymous letter.

4150. CHAIRMAN.—No anonymous letter shall go on the notes; this is not one.

4151. Mr. Duinen.—It is opening the door to a very great iniquity. If the letter from Mr. Cumming was received and made evidence, there would probably be three hundred replies to it sent in, all of which would have an equal right to go on the notes.

4152. Mr. Robinson.—I don't say it will go on the notes. It will, with every other document handed in, receive due consideration. You can write denying his statements.

4153. CHAIRMAN.—He says the police of the district is not sufficiently taken care of, and that midnight robberies have taken place.

4154. Mr. Boyd.—Nothing of the kind, it is not midnight robberies that take place, game has been taken as I explained.

4155. CHAIRMAN.—Do you not call poaching robbery?

4156. Mr. Ross.—The difficulty of allowing that letter to go on the notes is, that several hundred of replies may be sent to it, and you would not put them all on.

4157. Mr. Joseph Miller.—My name has been referred to by Mr. Cumming in his letter. I am living for over ten or eleven years in Knock, and I can say on oath, if necessary, that to my knowledge I never heard of a robbery there. I have left a great many of my farming implements lying about after night, and I never knew of a robbery being perpetrated; and I come to reiterate the evidence I gave the other day, and to say that all I stated then is perfectly true from my own knowledge. There are a number of men here from Knock prepared to say the same. I don't know why Mr. Cumming should have done so, for there were others who gave stronger evidence on the point; but I have been selected as giving evidence which is not correct.

4158. Mr. Duinen.—I had a deposition at my home in reference to the statement of Mr. Cumming.

Mr. J. C. BRETLAND CONTINUED.

REMARKS.  
Oct 24, 1875.  
Mr. J. C.  
Bretland.

4155. Mr. Andrews, q.c.—You are the Assistant Surveyor of the Town Council?—Yes.

4160. And have been so, I understand, for a number of years?—Yes.

4161. With reference to the proposed extension on the county Down side have you examined—in conjunction with Mr. Miller, the road surveyor—the roads that go under the name of private roads?—Yes.

4162. In what state have you found the so-called private roads, in what I will call the proposed county Down extension?—The day before yesterday, in company with Mr. Miller, the Borough Surveyor, who has charge of all the roads in Belfast, I visited this district, and I certainly found the private roads, as you call them—those not under the charge of the county—in a very bad state. I have no hesitation in saying that.

4163. Are they in anything approaching fair—for county roads—order?—Certainly not. Those at Lower Sydenham appeared to me to be the worst.

4164. Is that the district nearer Belfast?—Yes.

4165. Give some idea as to how these roads were originally constructed—were they properly bottomed?—As far as I could judge, they have not been. There may be some exceptions to that, but I think the majority have not been.

4166. Have they been at all properly drained?—Evidently they have not been sewered, but there are expedients resorted to for draining the roads into ditches and fields adjoining. We tried to get through one of these roads, and could not. I should mention that these roads lead to nice clusters of houses.

4167. I want a few statistics as to the houses built there, and of which the plans have been approved—in the Malone district?—In '75 there were 41; in '76, 83; in '77, 101; in '78, 88.

4168. And as far as you have gone in '79?—85.

4169. That would give about 418 within the last five years?—Yes.

4170. Those are houses approved of?—Yes.

4171. Does that comprise Osborne Park?—No, it is inside the borough.

4172. Have you anything to do with the approval of them?—Yes, I see them all.

4173. As a matter of fact, is there ever found to be any delay or obstruction in the approval of the plans?—No; nothing but what is absolutely necessary. In a great many cases it is necessary to send the plans back for revision.

4174. State what it is the Town Council chiefly look after in reference to buildings?—Well, they take three leading things. There is first the house frontage lines.

4175. That does not mean the elevation?—No, the nearness, or distance from the road.

4176. What next?—Then the drainage and ventilation—to see if there is a proper air flow around the house.

4177. Now is it essential in a district like this to see to these matters where there are continuous rows of houses built?—Certainly.

4178. Mr. Ross.—Are there any continual rows of houses in the county Down extension?—In the proposed extended area?

4179. Yes?—A few.

4180. Did you examine them carefully?—Yes.

4181. Take Strassstown, and tell the Commissioners what defects you noticed in these houses.

4182. CHAIRMAN.—He did not say anything about the houses.

4183. Mr. Ross.—You said nothing about the houses there?—No. I did not examine them.

4184. Speaking of the roads, then, I think you said these private roads were not sewered?—I believe not.

4185. What do you mean by that?—I did not see any "gully grates."

4186. Do you think it necessary to have them on a private road?—It is better to have them.

4187. Do you think it necessary?—Yes, in the neighbourhood of buildings.

4188. I thought they were private roads there where there were no buildings?—No, not many.

4189. As to its being better, of course it would be better to have them well javol and flagged, and so on, but you would not say it was necessary?—I think there should be "gully grates" on them.

4190. On private roads?—Yes.

4191. Ordinary private country roads?—Yes.

4192. It is your evidence that it is necessary?—Well, a temporary expedient can be resorted to—draining into the fields. That has been done.

4193. Who is Mr. Miller?—The road surveyor.

4194. Of what district?—Of all the district in the borough?—He is borough road surveyor.

4195. Under Mr. Montgomery?—Yes.

4196. I think your evidence was that you did not think the majority of the roads had been "bottomed"?—Yes, many of them.

4197. Then am I to understand that you made a distinct examination of each?—Well I made no hole in them.

4198. Then it is a mere opinion formed upon a surface observation?—Yes, close surface examination.

4199. Did you make any examination on the Bloomfield side?—Yes.

4200. Are the roads there not bottomed?—No, I would not say that.

4201. You think them properly made?—Much better.

4202. Are they fairly made for roads of their class?—Not for town purposes.

4203. What do you mean by that?—The footways are not completed as I would wish to see them in the town.

4204. Tell me, are they all completed on the road leading to Windsor-avenue?—No, they are being completed from time to time.

4205. Are they completed?—They are in a way.

4206. Are not the others completed in a way?—Yes, they are in a way.

4207. Are they not as well completed as in the road leading to Windsor-avenue?—Well, there are some only gravelled as yet.

4208. In the Windsor-avenue road?—Yes.

4209. And are they not gravelled in the other ones?—Yes.

4210. Then in point of fact they are the same out there as in the town?—I don't say that.

4211. Mr. Weir.—You gave some statistics to what district do they apply?—To the Malone district inside the borough.

4212. Define it?—I took everything south of the Central Railway, except the workers' houses down at the gas works which I did not include, from Donnell Pass to and from the Central Railway to the southern extremity of the town.

4213. What is the area of that district?—I have not got the area.

4214. It is a large district?—Yes.

4215. I believe I am right in saying most of these new houses are built on the "plain"?—A large portion of them.

4216. The greater portion?—Perhaps.

4217. That is between Lisburn-road, Malone-road, and the River Lagan?—Yes, the district called the "plains." I have included that.

4218. Have you any means of stating what the valuation of these houses is?—No. I could only give a rough idea.

4219. Are there streets of two storey houses?—There are hardly any two storey houses in those I have given. They are all more than two-storied houses, except where they are double houses.

4220. And are they built in streets?—Yes.

4221. I believe in that district there is a great deal of villa land to be set for villas?—Yes.



WELFARE.  
Oct. 24, 1875.  
—  
Mr. J. C.  
Bretland.

4222. Mr. Esau.—Are there gully-traps on the Bloomsfield roads?—I think so.

4223. Are they covered?—I heard so, falling into the Commissioners.

4224. Is it not that the district that would primarily be brought into Belfast?—It is nearer.

4225. And the continuous houses exist there more than anywhere else?—At Stranmillis there is a large number of continuous houses. I should say forty or fifty altogether.

4226. Workers' houses?—Small houses.

4227. It is a little country village?—It is a street in fact.

4228. It is quite detached away from the town?—It is some distance from the borough boundary.

4229. Mr. Overend.—When did you make this examination of the roads?—A couple of days ago.

4230. Did you go over the entire roads in the district?—Yes.

4231. Every one?—Yes; not the whole length of every one, but I saw them all, and indeed went over the entire length of most of them.

4232. Some you did not go on?—No, I went on all.

4233. You saw them from a distance?—No, I was on them.

4234. You spoke as to the "bottoning" of these roads?—Yes.

4235. You just glanced at them?—I formed a very good idea of them.

4236. I understood you to say you did not make any holes; you did not break up the roads?—No.

4237. You went for the purpose of giving evidence of these roads?—Yes.

4238. CHAIRMAN.—You don't suppose he would break up all these roads. How long were you going over the roads?—I was driving most of the time. We were from shortly after two o'clock till after six, till it was dark or nearly dark.

4239. How many miles did you drive in that time?—We began at Belfast and along the Hollywood road, and between that and Bangor Railway.

4240. Mr. Overend.—And then it was nearly dark when you did the rest?—No, it was quite light.

4241. Did you ask to see the specifications in Sir Thomas McClure's office for these roads?—No.

4242. Would you be surprised to hear that they were all made on the specification of the county roads?—I would be much surprised to hear it.

4243. Would you be surprised to hear that substantially all were made on the same specification as the county roads?—It is hard to say what they were originally.

4244. Would not the specifications have given you an idea of how they stood?—Not an idea of how they stand now.

4245. But of how they were originally constructed?—Sometimes specifications are not adhered to.

4246. Are the lessees not bound to keep the roads in the way provided by the specification?—I can't answer that.

4247. I would ask Mr. Despard is that so as they

bound to keep them in accordance with the specification.

Mr. Despard.—Yes.

4248. CHAIRMAN.—A serious question then arises. If Sir Thomas McClure enters into a contract with his tenants to keep in repair those roads as private roads, what is the effect of Sir Thomas McClure's dedicating them to the public; are the lessees bound to keep them up then?

Mr. Despard.—He has not given them to the public.

4249. CHAIRMAN.—All I can say is, I don't think there is any doubt after what has taken place that any jury would not hesitate to find that they are now public.

4250. Mr. Overend.—I would ask Mr. Despard further, are not the lessees bound to keep them in that state of repair as specified.

4251. Mr. Despard.—Yes, the specification is as follows:—

"The road to be made on the line marked as the ground and formed to the inclinations shown on section A B.

"The road to be 35 feet wide, allowing 31 feet for roadway, 3 feet for footpath, and 1 foot on each side for ground hedge; the face of the embankment to have a slope of 1 foot horizontal to 1 foot perpendicular.

"When the road has been properly formed, the centre of the roadway for 14 feet in width to be carefully paved with the bords with roughly broken stones closely put together with the larger ends downwards, to be 6 inches deep in the centre and 4½ inches at the sides, the sides to be brought up with quarry chippings at the rate of 3 tons per lineal perch, the whole to be covered with stones (broken so as to pass through a 2-inch ring in its largest diameter) at the rate of 5 tons per lineal perch. These materials are to be so adjusted as when completed the roadway in its cross-section will have a semi-elliptical form having a fall of 3 inches from centre to sides.

"The footpath to be 3 feet wide, curbed with either roughly-hewn stones in lengths of not less than 12 inches, or a substantial green rail, the selection of which Mr. McClure will have the power to give instructions in reference thereto before the execution of the work, the curb in either case to be 2 inches higher than centre of road. The footpath to be bordered with 1 ton broken stones per lineal perch and coated with clean gravel at the rate of 1 ton per lineal perch; these materials to be so adjusted as to give a fall towards the road of 2 inches. A double row of stone quills to be planted on each side of the road, allowing 12 stone quills on each side to the yard running.

"The contractor to state in his tender the amount of earth stone is to be used and the amount of curb to be used.

"The whole to be executed in a substantial and workmanlike manner, and to be completed to the entire satisfaction of Mr. Lanyon, on or before the 1st day of November, 1865. Should the work not be completed within the time specified above, the contractor to be liable to forfeit a penalty of £10 per week for every week the work is delayed beyond the time before mentioned."

4252. Mr. Overend.—Were all the roads originally so constructed that very little will now put them into repair?—Yes, with the exception of one or two places, one in Knock, and one—the Green-road.

4253. The others were substantially according to specification?—Yes.

#### MR. JAMES MILLAR examined.

Mr. James  
Millar.

4254. Mr. Bruce.—What office do you hold?—Surveyor of highways.

4255. How long have you held that office?—More than five years.

4256. Previous to that were you filling an office in Derry?—Yes, assistant county surveyor. I filled that position for many years, and I had the charge of the town of Coleraine as well.

4257. What is your duty with regard to the roads and streets within the borough of Belfast?—To see that they are kept in proper order and repair.

4258. Did you, in company with Mr. Bretland, examine the roads in the district proposed to be taken in on the county Down side?—Yes.

4259. How many miles of road?—Nearly seven miles.

4260. Did you examine the whole of them?—We did.

4261. What is your opinion of these roads?—Generally speaking, I have never seen any roads in the same state as I saw these roads near Lower Sydenham.

4262. In so bad a state?—Yes, they were worse than any I ever saw in any locality. In fact there is not a road in Lower Sydenham fit for travelling except one leading to the railway station, and that road is repaired by the county at present.

4263. I am not asking with regard to the county roads, but the so-called private roads.

Examiner.  
Oct. 14, 1878.  
—  
Mr. James  
Miles.

4294. Had you previously, or a couple of days ago, examined these roads?—Yes, I was there three times over them.

4295. What were the occasions of your previous visits?—For my own information, for the purpose of examining the roads.

4296. Did your previous examinations lead you to the same conclusion as your examination two days ago?—Yes. Indeed I was perfectly satisfied to see the roads.

4297. Now, as to Upper Sydenham, what is the state of the roads there?—Well, one or two are quite as bad. In what is called Upper Sydenham-avenue the road was in such a state that we had to get off the car in order to get along, and the horse in one place sunk up to his knees. That was about where the Presbyterian church is.

4298. CHAIRMAN.—Was this in the centre of the road, the place you say was impassable?—Yes.

4299. Mr. Brien.—Are there any other roads there in a similar condition?—Yes.

4300. Would you, as a skilled witness, give the Commissioners your opinion, from what you saw, of the manner in which you think these roads must have been made judging from their condition?—Yes; in many cases they have been very badly laid out. I should say from my observation that many of them, if not all, have never been bettered or doimed.

4301. Did you form that opinion from seeing the roads?—Yes, there was no necessity for opening them, for there were holes enough in them. In one place, as I have said, the holes were so large that the horse went down in them up to his knees.

4302. CHAIRMAN.—That, you said, was in the centre of the road?—Yes. I am certain that specification was never carried out. The metal would be of no use unless the roads were drained and bettered.

4303. Mr. Brien.—You have had a good deal of experience?—Yes; for sixteen years.

4304. Are there gully-traps on the county Down roads?—No; I did not see any.

4305. Are there gully-traps on the county roads in the county Derry?—No.

4306. Were they not kept in good order in the county Derry?—Yes, but they are properly made there.

4307. You know the Mount Coppingen-road and the Piers Bridge-road—see they in the borough?—Yes.

4308. Are those roads properly made, including the footpaths?—They are very good roads.

4309. Are they properly made?—I did not see them made.

4310. Are the footpaths properly made?—They are in good order.

4311. Are they kerbed?—No.

4312. And do you mean to say that in a great town

like Belfast it is right to have such roads not kerbed?—They are going on as that district.

4313. But, in your opinion, they are not properly made for a town?—They are in sufficient, good, and perfect order, but not kerbed.

4314. Did you make an examination of the Blomfield roads nearest to the town?—Yes; Cyprus-avenue appears to have been the only one that was fairly well begun.

4315. Are the other pathways "laid off" kerbed?—No, they are not; the kerbs that are on them are merely splinters of rough stone.

4316. Where is that avenue—Cyprus-avenue, you call it?—It is there (pointing to map)—it is known by that name.

4317. You say Cyprus-avenue is the only one that is kerbed?—These are others kerbed, but as half done that it should not be called kerbed at all.

4318. Mr. Boyd (pointing to the map).—That is Cyprus-avenue, but it is the only one not kerbed. It is a sixty foot road, with a substantial planted area between the footpaths—a sort of boulevard. It is kerbed a very short distance only, but all the other roads made within the last 100 years have been made with granite stone.

Witness.—I say the road is kerbed.

4319. Mr. Boyd.—Yes, but not one-twentieth part of the road.

4320. Mr. Brien.—Is it your evidence that the other roads are not kerbed?—That they are not well or properly kerbed.

4321. You made such an examination that you are able to say that the majority of the roads there are not properly kerbed?—Yes.

4322. Take the Piers Bridge-road, how are the water-fallen kept?—They are very well kept with masonry.

4323. They are made of masonry?—Yes.

4324. Made like an ordinary country road?—There is a water-table made with masonry.

4325. These roads you are speaking of are nearest Belfast?—Yes.

4326. Mr. Weir.—You heard the specification read?—Yes.

4327. Do you know, as a matter of fact, whether it is not the very same specification as that used in the case of all the county Antrim roads?—I do not.

4328. If Mr. McKinnon said it was, would you contradict him?—No.

4329. Mr. McKinnon.—The roads in the county Antrim will compare with any made in Ireland—they are considered to be the best in Ireland.

4330. Mr. Corran.—What amount of metal is used?

Mr. McKinnon.—Five tons to the perch, which would give six inches deep.

Mr. J. J.  
Montgomery.

Mr. J. J. Montgomery (Borough Surveyor, recalled and re-examined).

4331. Mr. Andrew, Q.C.—I want to get from you the area of the borough before and since 1863?—Before '63 it was 370 acres, and then 5,011 acres were added.

4332. What is the quantity proposed to be added now?—3,705 acres.

4333. How long have you been borough surveyor?—Eighteen years.

4334. Then, your experience does not go back to '63. I want you, if possible, to give the Commissioners some idea of the quantity of ground built on at that time?—Well, I cannot do so with any certainty, for at that time I took no interest in Belfast affairs.

4335. Well, tell us from the time you commenced?—Well, it is not nearly built on yet, but an immense increase in building operations has undoubtedly taken place in the added area. The best way to see that would be for anyone who had been familiar with that district in former times to see it now, and he certainly would not know it was the same place.

4336. Having regard to your experience during these sixteen, seventeen, or eighteen years, has the added area been progressively improving?—Yes, decidedly.

4337. And has its tendency been to extend building operations out even beyond that part?—Yes, in part I think a great many people prefer getting as near the centre of the town as possible, and I should say that between the two forces the central force preponderates.

4338. According to your experience has that district been more rapidly built on in latter years than in former years?—Well, indeed for all practical purposes, the increase of buildings has gone on steadily year by year, some 1,300 or 1,400 houses a year. (See Appendix, No. 12.)

4339. Would you give the Commissioners an idea of the number of streets which under the Corporation have been sewered and paved since 1863, within the borough?—We have paved and sewered since we got the improved legislation—the Act of 1865—about 800 different streets, short and long together. About

330 private streets have been sewered and paved at the cost of the owners of property.

4310. That has given you large experience of how far your orders have been carried out, and of the objections raised to your works?—Nearly all our orders have been carried out without any litigation whatsoever, and under the new laws I never knew the money to be collected so slowly. In the last town I was in, upwards of £20,000 was owing for private streets. In Bradford a special committee was appointed by the Council to try and recover a sum of money reported as irrecoverable. It amounted to £39,000, and a special committee was appointed the private improvement expenses committee, to try and recover the amount. Here, however, no difficulty was experienced.

4311. As to the standing debt for street expenses, is there much of that in Belford?—I say there could not be less. No practical man knew of a slower collection in regard to the making of streets than in the case of Belford.

4312. Take the county Down side, at present has the Corporation made a large expenditure to facilitate these improvements?—A very large expenditure—none of these new streets could have been properly made and sewered had not the Council laid out large areas of money to make the arterial drains. In Ballymacrory alone, £37,000 and upwards has been laid out in making arterial drains.

4313. Is there anything you would wish to state with reference to any portion of your evidence which may have been misunderstood?—Yes, Mr. Weir misrepresented my evidence in one or two respects. He first said the Council had no plan or scheme, that it was the creation of the surveyor. Now that is entirely incorrect. It is the opposite of the fact, and that is putting it as courteously as I can. The evidence was that there were a great many meetings and a great many boundary lines have been prepared by us to meet the views of the different members of the committee. Indeed the matter involved a good deal of trouble to me, for I was not anxious for the extension at all.

4314. CHAIRMAN.—We have all that I think?

Mr. Montgomery.—Yes, but it is a point upon which misrepresentation has been made. I did my best under my oath to do my duty to my employers, and all I have said in my evidence I believe to be true. If left to myself I would rather have no extension, because I have enough on hand. Well the committee at last selected one of the boundary lines which was constructed as much as I could construct it. They selected that. Some gentlemen came here and made statements, no doubt unintentionally which were misrepresentations. Mr. Cochrane said I acted as engineer in Maleno. I never was on the ground there till this inquiry began. I did not know where the street was to be laid out or how many houses were to be on it, when Mr. Workman asked me many years ago some general questions about laying out streets in the country, but I really forgot it. What I always said on the subject is true, and I must say it is very unfair for a professional man to come forward and make use of any general observations of mine in this way. I never took a fee, and I never did anything to justify the statements that have been made.

4315. CHAIRMAN.—I understood it to have been said that you went on the ground and fixed on the line.

Mr. Montgomery.—It was, but I never went on the grounds. I never saw the plans, and except for a casual observation or conversation, which I thought it would be rude of me to refuse, I know nothing of the circumstances at all, nor did I know what they were doing—so much for the truthfulness of these statements.

4316. CHAIRMAN.—In other words you never were consulted professionally about the sewerage?—I remember hearing that a friend of mine there had a proper introduction to him, and I advised Mr. Workman to do the

same. Alderman Lindsay complains of being interfered with by the surveyor. The last time you saw him it was alleged that I allowed gentlemen because they were members of the Council to build houses in places not properly destined.

4317. CHAIRMAN.—The substance of one of the charges was to charge you with acting as a general parish officer because a man happened to be on the council—that you had in fact one law for our men and another for another, and that Dr. Brown was partial because he allowed them to have a licence from their factory which would not be tolerated in another place. That is all on our notes.

4318. Mr. Montgomery.—When a wooden beam was proposed to be put against their house, I would have prosecuted Alderman Lindsay had he not allowed the mistake and I told him that, and I think I should rather be praised than blamed for that. I strongly advised him to cut off the drain by means of a trap—that was another kindly and good lot of advice—and he now says I prevented him using the drain. Then as to the Maleno district the evidence brought here by hearsay is utterly unreliable. In the Maleno district the estimates were half-yearly so that what Mr. Cochrane heard in the county surveyor's office from somebody is quite fallacious and the £s. 6d. should be 9s. 4d.

4319. CHAIRMAN.—Is it 4s. 6d. for the half-year, and not the whole year?—Yes.

4320. Then the cost of the county-road is really 10s. 6d.?—Yes. I did not interrupt or contradict a great many things which I have now forgotten so I would ask you not to assume that because I distinctly contradict some things I tacitly admit the accuracy of the rest. I do not. There has been a great deal of that sort of evidence given. Many things of the kind were said I think quite unintentionally.

4321. Now is there any doubt about it, that when brought within the borough you could keep that road at 4s. 6d. at present—I think for much less. Recall that this contract is three miles long—at least from the boundary of the borough—for 934 perches. Now to show you the sort of statements that have been made—I examined them critically as a mathematician would and when you bring them to that test you will see the gross blunder that has been made. The average for these three miles would not at all represent the cost of the part next Belford. Every road inside the borough has a great deal of local traffic—the chief part is local—and you could not compare them with a road going three miles outside the boundary at all. No sensible man would do it. Our roads are watered and sewered—the county-roads are not. It is really very unfair to compare the two. The roads under Mr. Miller are kept as economically as any man living could do it. The next mistake was as to Windsor. Now a great grievance has been made about Windsor road. For very many years I used to go to the owners of property there and tell them if they would not repair that road as they were bound by law we would order it. We were so worried about it that Mr. Bruce and myself went and pressed the Council to make the order. The orders were posted up when Mr. Little and other owners came and said they would keep it in order. They had then another spell. Nevertheless it became the subject of litigation and Mr. Law came and sent me to know if I would act as arbitrator which I thankfully and respectfully declined, but gave them the best advice I could. There was a lot of counsel in the case and in fact a tremendous deal of trouble about the avenue, and not to run through it all we got a clause in our Improvement Act of 1865 to enable us to mend any dangerous roads in Windsor avenue, and for several years after that whenever there was a dangerous hole or imperfection I went up and had it repaired. At last the residents came to the council and asked them not to dally with this any longer, but to complete it, and it has been completed. There was an effort made to get it done in a cheaper way. A street cut up so much by carts and that sort

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of traffic would be costly to repair, and if any attempt were made to let the rich people—the owners of that avenue—(some of them members of the Council), off at a cheaper rate than the workers' houses in streets near it, I would think it downright jobbery. It has been carried out with ordinary assiduity with pebble at the side. The only grievances they have to complain of is that some four feet of it is flagged footway and owners of workers' houses have agreed to flag without being forced. I see nothing to complain of therefore.

4322. CHAIRMAN.—There was a complaint that while you made curbing and crossings elsewhere you refused and have not given anything from the foot of the avenue to the Malone-road.—Quite true and the reason is this that without a large increase of rates on these very gentlemen who are complaining, say 6d. in the £, it would be utterly impossible considering all we took in, in 1885 and subsequently to do it with the money at the disposal of the Council. There is not a road in Belfast in which curbs and channels have not been laid down. The first is that in Ballymacarrett we laid out thousands and thousands on foot-paths. Miles have been curbed and channelled and without a large increase in the rates we cannot go quicker. If they agree to increase the rates I will be only too glad to proceed further with the work.

4323. Mr. Ross.—You say that in consequence of the large increase in the roads you can't do in the borough what you admit ought to be done.—Not within the year. All at once they want them done.

4324. Would not that be the case for many years?—There are roads in this borough, the footways of which for many years should not be flagged, and there are roads in the extension which might not be flagged for many years.

4325. To go to Windsor-avenue am I not right in saying that the owner of one villa abutting on it had to pay £500 as his share of the paving of Windsor-avenue?—I am sure if you say it, it is correct. He may have had an immense piece of property, but if he had an ordinary piece he would have had to pay the same as the workers have.

4326. CHAIRMAN.—That gentleman might have a mansion and a very large frontage?

Mr. Montgomery.—It is a villa. He is a member of the council.

4327. Mr. Ross.—I believe one member had to pay £1,300 for his share?—I think that is the gentleman who came and asked it to be done.

4328. I want to show that in this district, where the roads were much cut up, a large sum had to be paid as a contribution. I am not complaining of you?—I said that in the county Down district such expenses should not be gone to.

4329. But the Town Council have absolute power to do so?—Yes, but they have no objection I should say to have it limited. I am sure they don't want to have the roads done like Windsor-avenue.

4330. Limited by whom?—By the Commissioners. I have seen six carts of stone going over that road in a string.

4331. Am I correct in saying that as to your plan as laid down on that map, the plan was originally conceived with reference to a gradual increase of the borough of Belfast?—Yes.

4332. And that is not a plan in its original conception for the immediate extension of the boundary?—I never intended to recommend that any such area should be taken in, in such a way as to charge the present ratepayers of Belfast with any burthens. The scheme was one of uniform rating. I would recommend the council if we are going to have a differential scale of rating, that we should not have anything like so large an extended area added to the borough.

4333. You were asked as to the extension of the borough in 1883, and you said 970 acres was then the area?—Yes.

4334. The boundary was then the Blackstaff, I think?—We have a map which will show it. It was very circumscribed.

4335. At that time was not the then existing borough all built on?—Yes, nearly all.

4336. As much perhaps as the city of Dublin is now?—It was very dense.

4337. Did you hear Mr. Young's evidence?—Yes.

4338. As far as regards the cottage in his estimation, do you agree with him?—Well I did not go into it.

4339. You don't mean to say his evidence is not substantially correct?—I have not directed my mind to it. I think before Mr. Young spoke I said there was a large area of building ground within the borough suitable for villas as well as workers' houses.

4340. But Mr. Young's evidence was that for a period of sixty-four years at least, at the present increase the ground would be available, and only then exhausted, if indeed at that time?—Oh, yes, but that would be a very uncertain principle to adopt.

4341. You know nothing contrary to that?—I mean mathematically you do not question the accuracy of his estimate?—Well, but the town is quite too dense as it is.

4342. Not the outlying districts?—No; but there is no denser town than Belfast. It is quite too dense.

4343. As to the county Down district, you say you are in favour altogether of a uniform rating?—Yes.

4344. Are you or are you not in favour of differential rating within and without the borough?—I will repeat what is already on the notes. I was not prepared to recommend a 4s. 6d. rate to be put on the parts of the borough that I take leave to say are rural. There are rural districts in every large town. Every borough should have a large rural area in its suburbs, and my opinion is that the 4s. 6d. rate should not be imposed on that, but that there should be a machinery provided for extending the power of rating from time to time as a case could be proved for the extension of the taxed district.

4345. You do not think the extended area should be subjected to the arbitrary power of taxation?—Certainly not. I never heard it was to be so. I do not look upon it solely as a question of finance. I said the first question was a question of finance, but there were a great many other questions to be taken into consideration besides the money question.

4346. Did you consider the financial question one of importance?—Yes.

4347. And the next whether eligible sites have been chosen?—Yes, and if it is just for them to be brought in, and if it is for their own good as well as for that of those inside.

4348. As to this machinery of which you speak for regulating the taxation of those brought in, is it not in the power of the Town Council to declare any portion of the town lighted and watched?—Yes.

4349. Can they not put on the tax then having so declared it?—Yes, but there is a power of appeal.

4350. You made a calculation of the expense of the county Down district?—Yes.

4351. According to that it would be a loss—a positive loss—as the town at present to take in the county Down district?—It would be a very great loss.

4352. CHAIRMAN.—All this has been fully gone into before, and we should not go over it again. We have it all in the evidence of Mr. Montgomery, and he has been cross-examined on it.

4353. Mr. Ross.—One question more. The maximum rating at present is 4s. 6d. Your calculation was that it would take 3s. 6d. in the pound on the present valuation of the county Down district, to make up the expense the Council would be obliged to go to I think you said it would take that to reimburse the Corporation for their expenditure?—Oh, it is a matter of calculation.

4354. But there is no doubt you said that?—As I say it is a simple matter of calculation, and if it is wrong I withdraw it.

4355. Do you think it would not be likely that the Town Council would take the opportunity of putting up the rate on this district to make it pay them?

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4356. CHAIRMAN.—"Does he think it likely," that is scarcely evidence.

4357. Mr. Montgomery.—I say, if by any blunder a large area was taken in, and the borough was losing money by it, and if it lay in me to vote extra taxation to relieve that, I would vote for it.

4358. CHAIRMAN.—In 1853 the borough was extended on the report of Captain Gilbert who was sent down to report on it, and I find the objections now being put forward, were put forward against the then proposed extension. What Captain Gilbert appears to have done was this—as no one suggested a boundary to him, he prepared a map himself, advertised it, by advertisements in the paper and otherwise, and allowed the map to remain in the Town Hall, and said he would hear objections or rather receive them in writing. He received only three. One was to the effect that the map was too small and that a considerable addition should be made to the area he proposed. Another was from mill-owners who urged that it would be a breach of public faith if they were asked to pay the same as those inside. The objections were gone into, and he made his report, and legislation has sanctioned what he did.

4359. Mr. Ross.—The circumstances of that extension are totally different from those that now exist. Then the borough was fully built on, and you have evidence showing that that is far from being the case now.

4360. Mr. Weir.—You have given the amount of cost of maintenance of the Malone district?—Yes.

4361. Have you calculated whether or not the present rate of taxation there would meet that cost, or would there be a loss to the town?—I have shown in the estimate that the two sums would be equal.

4362. What I ask you is this, leaving out lighting and watching altogether, and taking only the estimate for maintenance, would there be loss or gain to the town in taking over the Malone district. You put down the maintenance at something like £900?—Perhaps, but of course the district would not be liable unless lighted and watched.

4363. Would there not be a strong inducement to the Town Council to declare them lighted and watched at the earliest possible moment if there was a loss on the district?—Yes, unless it was very slight. If it involved a great hardship, however, they would hesitate about doing it.

4364. Do you think it would be urged to declare them lighted and watched at the earliest period?—Yes; that is the history of all extensions. Every one of those districts was fought wickedly by two parties. The map shows it. I have no doubt one party would say it was urgent, and another that it was just.

4365. That would be in order to get the higher rate of taxes from it?—Yes.

4366. Others would be influenced by a desire to avoid a loss to the town?—Yes.

4367. Would you advise the Town Council to take over the whole of the Malone district, and charge the high rate on it?—At present I would not.

4368. Are any parts of the town unbuilt on because the Corporation are unable to have proper drainage in

it?—Yes, one or two places. One is the bog meadows and the valley near the hamlet asylum. Part of that will never be built on I think.

4369. The way you made your estimate out was this, assuming the new district was taken in and treated as the rest of the town, and that it was lighted and watched, about what amount would it take to meet the necessary expenditure, and you regulated your arrangements accordingly?—Yes, by a tentative process. The matter has been rectified since; the committee, the solicitor, and myself, after various deliberation altered that boundary in some places by half a mile. The basis was a financial consideration, and that was adjusted in various ways. Take Stockman's lane as an example. I had not included the building ground there. I stuck as far as possible to townland boundaries, and I think with Mr. Gilbert, that a boundary which is found not suitable should not be adopted. On consideration by the committee, however, it was deemed advisable to take in the strip of ground along Stockman's lane, which would give a frontage to the lane. There were cases where the financial consideration was overruled by others of paramount importance.

4370. Did the contraction of the proposed extension affect the expenditure more than the income, or the income more than the expenditure?—It was still better for my way of looking at the question.

4371. Better for the council?—Yes.

4372. Was that why you adopted it?—Yes.

4373. The council I take it acted on your suggestion?—Yes.

4374. They were guided by your advice?—Yes, but there were a great many meetings at which the subject was very well and fully considered, and my opinion was not blindly followed. They afterwards overruled me in some respects.

(Mr. Andrews, *q.c.*, handed in a map containing the proposed boundary.)

4375. Mr. Ross.—It is quite clear that the boundary marked with the green line is yours?—It was made at my suggestion. My opinion is that any particular boundary if had should not be followed. Captain Gilbert was right to make his own boundary.

4376. If the people in the county Down district were unanimous against the extension, do you think they should be included?—That is hardly a fair question.

4377. CHAIRMAN.—Don't answer that question. Captain Gilbert had the same difficulty to meet. It was said he should not recommend the extension against the wish of the people, but that was ignored.

4378. Mr. Ross.—Is not the Corporation the division boundary between the two electoral divisions?—It is.

4379. Mr. Andrews.—With reference to one part of the evidence given by Mr. Montgomery, I would wish distinctly to say that if I had had any notion that the conversation he alluded to was of a private character, I would certainly not have mentioned it in my evidence. As to the 4s. 9d. for the year, it would now appear that that was a mistake, and that my statement was wrong.

The Mayor, Mr. JOHN BROWN, examined.

Mr. John  
Brown, Mayor

4380. Mr. Andrews, *q.c.*—You have been a long time connected with Belfast and its district?—Yes.

4381. And have had, I understand, very large experience in its building and other improvements?—Yes.

4382. As the present head of the Corporation of Belfast are you in a position to say in the proposed extension approved of by them?—Very generally. There is a certain majority in nearly all cases such as you will meet in nearly all public bodies, we are very rarely unanimous. There is the majority which there is in most cases.

4383. Of course there are necessarily in the Council

gentlemen who take different views, but so far as a united body can express an opinion on such a subject it is in favour of the extension?—Certainly.

4384. Do you consider from your knowledge of property within the borough and outside it that it would benefit the district outside to enlarge the boundary?—Yes.

4385. Do you give that evidence from your actual experience of what has taken place as the result of the extension of 1853?—Yes.

4386. Is it your belief that the then extension improved the property taken in?—Yes, and in addition to that made it more valuable to the owners.

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—  
Mr John  
Reema, Mayor.

4387. Have you property outside yourself?—Not immediately now. Some of my property was taken in when Ballynacorney was taken in.

4388. Were you in favour of taking that in?—I was then against taking in Ballynacorney.

4389. Did your subsequent experience prove to you that you were wrong in that?—Yes, and I found my property improved to ten times what it was before it was brought within the boundary.

4390. Is there a substantial amount of your property so situated?—Yes. I sold a substantial portion of it since, but I still have a substantial property there.

4391. Would taking in the outlying districts now benefit them as well as the town?—I think it would be well and desirable to have all the parks around brought under one government. It might not benefit the town very much financially, on the contrary I think there would be a little loss.

4392. Do you know Lord Downshire's property proposed to be taken in?—Yes.

4393. Have you some property near it?—Yes, within a gun-shot.

4394. What effect would it have on that property, do you think?—Well, if Lord Downshire's property was mine, I would be inclined to give a large sum to have it brought in. What is worth £5 an acre now would in a short time be worth £10 an acre and more. It only wants to be developed, it is a poor agricultural place now.

4395. To Mr. Ross.—Do you think it would have the effect of over-making it building ground?—I do.

4396. How would bringing in and incorporating Lord Downshire's property make it building ground any more than it is at present?—If it was brought in for the purpose the party could have a plan made for laying out streets, the plan would be submitted to the Corporation, and when that was approved of there would be advertisements issued and persons would take it up.

4397. But cannot be got all that done now?—Well the plan might not be approved of afterwards.

4398. Your evidence is—it would be an improvement to these districts to be subject to the immediate chance of having a vote imposed on them?—No, that is not what I say.

4399. How is it that this ground of which we have been speaking is not equally building ground now as it would be if included in the boundary?—Well, to illustrate it, I have fifty-six acres within a short distance of this. My predecessor having the property, took no action, and before 1853 it was outside the borough boundary. When I got the property I consulted the engineer and submitted a plan to the Corporation, and after getting that plan for streets approved of, I applied to other parties and the thing was taken up and very handsome results followed.

4400. In other words your predecessor took no active steps to make a plan and you did. Now, is there anything to prevent Lord Downshire from doing precisely the same thing?—In one sense, no, but there there is no one to submit his plan to.

4401. There is no one to control his plan?—Yes, there is no guarantee as to how the place would be laid out, nothing to prevent an infirmity or some such place being put next to it.

4402. Could he not do all that you have done, could he not do it now just as well as if he were within the borough?—Yes, but private people won't take it up at all in the same way. Experience shows that what I say is true.

4403. Mr. Andrews.—The ground is better regulated and people are more willing to lay it out under the Corporation?—Exactly.

4404. Mr. Ross.—Is not the plan prepared by the owner of the property?—Yes, very often.

4405. Has he not a right to make his own plan and scheme for his own ground?—Yes.

4406. You said when asked as to the approval of

the Council to the proposed extension that it was approved of by the majority?—Yes.

4407. And that it was the usual majority?—Yes.

4408. What is that majority?—There are forty members, and there are about thirty or thirty-four who will approve of a scheme and vote the one way. There are thirty to thirty-two in favour of the extension, and eight or ten either neutral or against it.

4409. How many of those have been over the ground?—I could not say.

4410. Is it not a fact that the plan of extension put forward here is essentially the plan of Mr. Montgomery?—I don't mean to say unapproved of by the Council, but is it not the plan put forward by Mr. Montgomery?—They asked Mr. Montgomery to put his views on the map. He did so, and that was submitted to two or three meetings which I was at. Each individual looked over and examined that plan carefully, and gave his opinion as to it, and the plan now before you is a modified one—modified after it had been put forward by Mr. Montgomery—and in accordance with the views of the Council.

4411. Chairman.—Was this modification the result of careful and full deliberation amongst the members of the committee?—Yes.

4412. Mr. Ross.—Is it not substantially the plan that Mr. Montgomery submitted to you?—Not exactly—a great deal of it.

4413. But substantially the same?—I say it was modified, I was against the Bog Meadows being brought in, but when we found it was required for drainage purposes I changed my mind. You remember that Mr. Montgomery gave his evidence as to his reasons for bringing in certain portions and leaving out others.

4414. You know the county Down district?—Yes.

4415. You know Knock and Ballyglan?—Yes.

4416. Is it in your opinion reasonable or fair to take in Knock and Ballyglan?—Well some of it is going to be let for building ground, and it should have some governing power if that is so.

4417. If they had a reasonable governing power themselves—having regard to what the Town Council have to do in existing districts could they not get on very well?—I don't think a town like Belfast should let a rival town be alongside of it.

4418. A rival town?—Yes.

4419. In what respect?—Markets, corporations, and so on.

4420. You don't mean to say there should not be rivalry in doing good—generally speaking are not people managing their own affairs reasonable and prudent?—Well I don't know. Take the case of seven or eight military matters; you and I might probably do it cheaply, but the Corporation steps in and says it must be done properly and so as to last and be efficient for forty years.

4421. Is not Belfast able to manage its own affairs?—Well I think so, and better than others give them credit for.

4422. Suppose the people of Dublin thought fit to manage your affairs for you, and to say you could not be judge of your own case?—That would be quite a different thing. Rival governments around Belfast would be deplorable by the parties themselves.

4423. When they are perfectly unanimous on a particular course is it not a hard measure to force your government on them?—I think they are under a mistake.

4424. Don't you think it unfair to force them into a union against their wish?—I believe they are in error.

4425. Mr. Weir.—You have a great deal of property inside the present borough?—Yes.

4426. A great deal of it is building property?—Yes, both land and houses.

4427. Like other who people are you not willing to let your land within the borough at as high a rent as possible?—At a fair market price.

4428. Would you not take more than a fair market

price if it was offered to you?—No I would not—it would scarcely be offered by a sensible man, and I would not take it from an ignorant man.

4439. You have villa sites?—Yes.

4440. I suppose you have no doubt that villa sites within the borough would be improved if the boundary was extended outside?—I think the contrary—the more building ground you bring into the market the more you naturally lower the value of it.

4441. Would not something depend on the position of it?—How do you mean?

4442. Suppose a man had the liberty of building a house out at the far end of the Malone district, and had not to pay taxes—would it not be natural that he would build there, but if the thing was changed would he not naturally build on the ground inside—build on your ground, when he knows the taxes are the same?—Well you know everyone has an objection to pay taxes at all.

4443. You know the Malone district?—Yes.

4444. If people were going out there and building on the ground that they escape taxation thereby would they not change their minds, and come and build nearer if they found they would not be escaping taxes at all by going out?—No doubt people would try to escape taxation.

4445. Am I right in saying that to put full taxes on the extended district would increase the value of the property within the borough?—No I am certain not and I say that without hesitation.

4446. It would not have any effect that way?—No.

4447. Would it not drive people to go outside even the extended area to avoid taxation?—No.

4448. Now if a man was going to build in the Malone district, because he wanted to avoid taxation would not your extending the boundary induce him to go further out?—No. I know of cases the very reverse.

4449. I believe your own brother is opposed to this extension?—I heard he was. He would not like them to go out to Sydenham—but he is nearly always opposed to me. He is very odd.

4450. He is a member of the Corporation?—He is.

4451. Does he belong to the regular opposition?—No, he is a teetotaler.

4452. Did he vote against this proposition for extension?—Yes, I rather think he did.

4453. Was he on the Committee?—There was a large meeting of the Committee, and a number of gentlemen who were in favour of the extension of the boundary went away, and when it came to an issue and the question was to be put, it was found that they were almost equally divided, and the question was whether it should be brought before the council or not. I know I gave the casting vote. I don't think any member of the council determined that the district

taken in should be made subject to the full taxation or declared lighted and watched.

4454. You think it would be unjust?—Yes.

4455. Would it be a loss to the town to take it in without lighting and watching?—Well I don't think it would be a gain. I have not gone into that question. We would do as much work to improve the place as we could, and at a little expense to the people there as possible. The object is not to put too much expense on them or the people would be swamped.

4456. You said it would be a loss to take over this district without lighting and watching?—I said it would not be a gain.

4457. Would not the question of its being a loss or a gain be an element at least in the consideration of the Town Council as to whether or not they would light and watch it?—I don't think so, I think they would just do what was right and fair, and be advised by the parties who owned the property.

4458. Would not the natural tendency be to renege themselves for any possible loss, and to light and watch this district before it really needed it?—No.

4459. You don't think that would be human nature?—No, I don't think so. I don't think they would do so.

4460. CHAIRMAN.—Would you undertake not to light and watch?—No.

4461. Did the Corporation by a majority, authorize Mr. Montgomery and Mr. Black to come forward and place the view they did before us?—Yes.

4462. Then it was not a voluntary act on their part?—No they were authorized to act as they did.

4463. Mr. Weir.—Was a sub-committee appointed for the purpose of supporting the application by their evidence or otherwise?—I cannot say that exactly.

4464. CHAIRMAN.—Mr. Weir we must apply the same rule to Belfast as to other places. If the Town Surveyor or Clerk was deputed by the majority of the Corporation to put forward particular views we heard them. We would not think it necessary in such a case to take the Corporation men by man; we took the Mayor or chairman of the Town Council, and saw whether their view was the view expressed by the body unanimously, or if not unanimously by what majority.

4465. CHAIRMAN.—Mr. Weir you will also recollect that our Commission is not to inquire into, or rather not to report according to the view of the majority of the Corporation, but according to what we in our judgment think fit.

4466. Town Clerk.—On the 2nd of August it was resolved that a sub-committee be appointed to conduct the case of the Corporation, and to instruct counsel.

4467. CHAIRMAN.—Yes; and they conduct it by getting Mr. Black to give evidence and instruct counsel.

#### Dr. SAMUEL BROWN examined.

Dr. Samuel Brown.

4468. Mr. Andrews, Q.C.—You are the medical officer of health for the borough?—Yes, superintending medical officer.

4469. Are you intimately acquainted with the sanitary condition of the town?—Yes.

4470. Now, contrasting it with other towns of similar dimensions, in what sanitary state is it?—In a very fair sanitary state compared with other towns, but by no means in an efficient state as it will be by-and-by, or ought to be.

4471. Is the effort towards rectifying the existing evils successful and progressing?—Yes; continuous and successful.

4472. Do you consider it to be a matter of importance that districts like those proposed to be included should be brought in under more active sanitary regime than at present?—Unquestionably that is my opinion.

4473. What sanitary staff have you?—Myself as superintendent, an executive and eight medical officers

of health, who are the gentlemen of the district, and six sub-sanitary officers.

4474. CHAIRMAN.—They are making great complaints about Ballynacorney?—It is now all settled, and there are sewers there within the last eight months.

4475. Mr. Esau.—Is it your evidence that Leman's-row is in a satisfactory condition?—It is greatly improved; it is far better than it was a year ago.

4476. Is it not very bad still?—No; almost every part of Belfast can be improved.

4477. I am speaking of Leman's-row, off Byer's-bridge?—Yes; it is greatly improved.

4478. Would you say it is bad still?—No.

4479. Is its condition good?—No; we will take the medium.

4480. You have been always opposed to the Black-staff drainage?—Yes.

4481. How long is it since you read a paper in the

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British Association stating that it would be immediately abolished?—I said I hoped it would be.

4472. And it still exists?—No, not to the same extent. There is now an Act which will improve a large portion of it.

4473. You have a great deal of sanitary work to attend to?—Yes.

4474. Would it not be only fair to put your own house in perfect order before you think of bringing in others?—That is a difficult thing to say. I contend that portions of the extension are really proper, legitimate, and right. Take the district beyond the Commuter, it ought to be brought under more efficient sanitary control than at present.

4475. Assuming they could get such powers as they think they could get under the current law, would that suffice for all sanitary purposes?—No, I don't think so. I consider any outlying district must become poisonous, though we get the best sanitary conditions within, if there are bad sanitary arrangements outside.

4476. CHAIRMAN.—Do you know the Belfast Board of Guardians?—Yes.

4477. And the sanitary district they have in their charge?—Yes; I know the Guardians are most anxious to carry out the requirements.

4478. Do you agree to this, that the bettering value of Strandtown was depreciated by having to go through Ballymacarett?—No, I may say that Ballymacarett has wonderfully improved within the past five years.

4479. The question is, if the passage to Ballymacarett was made equal to the road to Windsor, would it be very beneficial?—I know that we have improved Ballymacarett very much indeed.

4480. Mr. Ross.—No doubt, the better the approach the better the property?—Yes.

4481. Mr. Ross.—I believe you are entirely confined to the borough?—Yes.

4482. Have you made any special examination of the proposed extension?—Only one examination. I went over the district to see the boundary, but I know all the districts.

4483. I know; but not for the purpose of seeing the sanitary arrangements?—No.

4484. Are you of opinion that, except with respect to some houses in the Malone district, the other places are well looked after?—Yes.

4485. I believe the Corporation contributes to the pollution of the Blackstaff?—Yes.

4486. And I believe you propose to expend £70,000 on it?—I don't know the sum, but there will be an improvement effected.

4487. Can you mention any part of the Malone district outside, as bad as the parts in the borough of Belfast?—I don't know anything of it. I went through it and saw them making the drainage there at Marlborough park. I don't know where the outfall is.

4488. Mr. Ross.—We stated our case as it presented itself to us, and there have been some strong observations made by yourself, Mr. Commissioner, with reference to certain matters that I believe had presented themselves to your mind, so rather favourable to my clients. I shall be excessively brief in referring to the evidence, and I don't intend to go into the question of law, but will undertake to make only a few observations with reference to a few matters suggested by yourself.

4489. CHAIRMAN.—There are two aspects of the case. First of all with reference to the extension of the boundary, and the terms on which any such extension shall be made; and, secondly, what is to be done with the parts brought in, in the event of an extension being made—whether or not your clients propose they shall be made into separate wards, and have separate representation in the shape of new wards, or not. That is a question you are interested in.

4490. Mr. John Ross, solicitor.—Before you speak further, I may say it is not material whether I am kept here, but there was a ruling made—against my protest—that the question of the wards should not be taken up until the whole of this question of extension was

settled. Therefore, I would infinitely prefer that Mr. Andrews should close for the Corporation, and that he should say so. If he will appear for the Corporation on the question of the wards I would know what to do. I would bring forward members of the Water Commissioners, for whose Board, I appear, to tender their evidence after that case is made. If I got my own will I would have asked questions of the witnesses as to whether they are of opinion that the wards should be extended from five to fifteen. What I would propose now, under the present circumstances, would be that Mr. Andrews should close the case of the Corporation as to the extension of the boundaries. That won't take more than half an hour, and then I will reply.

4491. Mr. Andrews.—That is the very course I propose to adopt.

4492. Mr. Ross.—I have just a few observations which I think it necessary to make. I here represent the whole of the county Down district, consisting of several different parishes, with different interests, and different strength of case. I have been retained for all. I have been obliged to give comparatively little attention to the more outside people, and I have been driven to defend the scientific frontier of the Commuter. If I can exclude everything beyond that I will be satisfied. I cannot make a case more especially for outside people—they have had their own case made through Mr. Overend and Mr. O'Rourke. I say to you with reference to that map before you, that everything ought to be swept from your mind but the facts in evidence. I ask you to discharge that map from your mind. It is substantially and essentially the wise proposition of Mr. Montgomery—that that enormous district should be included, and that it should be so arranged as to be capable of being taken in from time to time by some body—the Local Government Board or the Corporation—and it never was the intention that it should be incorporated immediately with the town. I ask you to do what was done by the Commissioner in 1853—have your own map, your own homestead, and pay no attention to any suggestions.

4493. Mr. Corry.—We will have our own map, you may be sure.

4494. Mr. Ross.—I would respectfully draw attention to the words of the warrant. It seems to have been assumed that you were bound to report more or less in favour of an extension.

4495. CHAIRMAN.—Most decidedly not. There are some towns in which, for that matter, there will probably be no extension at all suggested.

4496. Mr. Ross.—The whole thing I know is open to you. It is stated that the town of Belfast requires extension, and the warrant under which you act points to the necessity for a general inquiry into the whole subject of municipal areas. The enormous difficulties that exist in municipal areas are pointed out, and you are entitled to consider the question as a perfectly open one. You are to consider whether the boundaries are to be extended, reduced, or otherwise altered. You may act upon Mr. Lindsay's evidence, and say that some of the districts out towards the mountains ought not to be brought in.

4497. CHAIRMAN.—Yes, except that I asked him what should the limitation be. We should remember what the Legislature solemnly did after the report of Captain Gilbert.

4498. Mr. Ross.—You have the inquiry now perfectly open. You have first to consider will you extend it in any direction. I am only concerned for the county Down district, and I repeat I have to defend the whole district beyond the Commuter. You, of course, may determine where you will draw the boundary. I will only refer to one point Mr. Andrews mentioned with reference to the electoral divisions. That is a very important question. There might be something said in favour of drawing the line at the railway. Now, having regard to the recommendation in the report that municipal wards should be co-extensive with wards for poor law purposes, and towns with poor law electoral divisions, if I have the honour



boundary for sewerage at Comewater I establish this—that you might not to interfere with the district beyond the Comewater.

4492. Mr. COTTON.—Do you suggest to us to take in the whole electoral division?

Mr. ROSE.—Yes; I am only to a certain extent accounting for why I am pressing that point. It is an additional reason, in addition to the fact that the country beyond that is comprised of villa residences, or if not is occupied as agricultural land. Therefore I would press that on your consideration as suggesting a natural boundary. As cardinal to the inquiry it is not to be forgotten that the entire population are absolutely unanimous on the point. Now I do not for a moment mean to say that the Corporation do not do a great deal for the borough of Belfast. They no doubt do not do a great many things that one might wish to have accomplished, and which are left undone. They employ all Mr. Montgomery's skill, and all Mr. Black's energy and ability to make Belfast a model town. If, however, we can get a responsible governing body beyond the Comewater, it will be a healthy thing beyond question to have a useful rivalry, and to have sanitary powers outside, and afterwards if needs be let them go to Parliament to be incorporated. It is one of the most potent considerations to be brought forward at the present time—the consent of the people in such a case as this. In some cases no doubt it would be perfectly proper to extend a district against the will of the people, but in the case of a rural, an agricultural district, or a district such as this, it is different. The only case made indeed was in the evidence of Mr. Black, and that was exaggerated and broke down in his attempt to show that they were creating a nuisance in some way. They interfered against us when we wanted to get rid of that drainage. We are willing to do it. The Board of Guardians are anxious in every way to facilitate us. Under a united board that district can do everything that is needed, but even without that I think the Board of Guardians would be perfectly able to do everything necessary, with or without if necessary from the Commissioners. I don't know if it is necessary for me to say anything about this question of differential rating. I don't know that it is any part of the Corporation's case to bring in on any system of differential rating, except the differential rating that may be involved in not lighting or watching. It is competent for the Commissioners to decide about that. If you do decide to have differential rating the case of the Corporation is broken down, and I doubt if it is any gain to them; it is naturally inconvenient to propose there should be any rate-in-aid to any particular town from the adjoining suburban districts.

4500. CHAIRMAN.—If we give a recommendation similar to that made by the Act of 1853—what would be said? There I find what Captain Gilbert recommended, and to those recommendations the same objections were made as are brought forward and argued here—that you should not make people outside pay the same as those in the borough, and yet these people willingly did it afterwards.

4501. Mr. ROSE.—The fact is, the circumstances are different. You will see as a matter of fact, that when the whole opposition arose in this way that owners of property outside were liable to a rating of 2s. 6d. in the pound, that was deemed by arrangement to be not more than 3s., and if you look into that you will find that everything done as to the action of Parliament was the result of arrangement and compromise by which the objection of those outside was withdrawn.

4502. CHAIRMAN.—Pardon me, the outside district was yet under the same taxation as the inside.

4503. Mr. ROSE.—They refused the whole taxation.

4504. CHAIRMAN.—But the taxes have remained on that footing ever since.

4505. Mr. ROSE.—Well I am not competent to deal with that, for I did not read the report. I would, however, say that before comparing the two cases, the

surrounding circumstances of each should be fully taken into consideration. In the case you refer to a compromise was undoubtedly come to. Now as to the non-lighting and watching of this district—and these people thereby escaping increased taxation. According to the evidence of Mr. Montgomery, the valuation being put down at £18,000, £3,300 in road numbers would be the result of a 3s. 6d. rate. The cost of lighting and watching would be £1,000, and deducting that from £3,300, would leave £2,300, and the result would be that Belfast and the entire district would be at expense until that district is declared lighted and watched. Does the Corporation suppose they should light and watch us for nothing. Certainly not. They are bound to put that lighting and watching on, in the interests of the heavily taxed ratepayers of Belfast—they have no right to have that district lighted and watched at expense to themselves. Therefore they will do it at once for the Corporation of Belfast will never consent to govern a district at a loss of from £1,500 to £1,800 a year to themselves.

4506. CHAIRMAN.—Could not that be got rid of by having a chance in the bill that the Corporation should not be at liberty to expend more on your district than they get out of it?

Mr. ROSE.—Of course it could if you thought of recommending an incorporation of this—my district—with the town, notwithstanding all I have to address to you. Of course you will at least consider all three things, and try to palliate what we consider to be an enormous grievance. But I do not contemplate that case. I do not want to remain until the question of the works comes on. If you do intend to incorporate these districts, it would only be proper and right to give to a district, like that which I represent, separate representation. So far I am in favour of having a separate ward. It would be a great advantage to have it, to have some one in the Council to stand up for our interests. It has been said by Mr. Andrews that there were over 5,000 acres, a great district introduced in 1853, and that the places so brought in had enormously benefited. No doubt. But they are subject to these taxes at the present time. Why do they come to have a portion of that taken off, and put on the outside district by a rate-in-aid? They have a property subject to that charge; that property by being in the town is valuable to them. They are as well able to bear expense as the people outside, and I say it is most potent with people to consider whether they are within the boundaries of the Corporation or not, for when they are brought in they are subject to high taxation, and subject to the dread of impending taxation. It is said, however, there is a difference as to load. Is not that disposed of by the evidence of Mr. Lenthall? "What are you valued at?—£2 for land. What is your house valued at?—£40." So that the fear of the tax imposed on every single farthing laid out on houses will tend to leave unoccupied the zone around the town. It was chosen by that efficient officer, Mr. Montgomery, on two principles,—would it pay the Corporation to take in the best building sites? Yes, it would tend to discourage building. I ask you in the interests of local independence, in the interests of local improvement to allow these people to do what they are all anxious to do, what they had all set about doing, what they are all prepared to press on the Local Government Board, to get those necessary sanitary powers, to make their district well governed, and make it a model district. Let them do it independently, and let them have the power of making application, if necessary, for watching and lighting. That point of watching has been spoken of. The Act of Parliament under which I believe they are governed, the 22nd and 25th Vic., cap. 70, provides for the distribution of the constabulary, and by that Act 250 men are capable of being given to a county town; the number at present is 240. Would it not be most valuable to have a body that would have an opportunity of making such representation

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as will provide for the necessary requirements. Why don't they get five additional men; if they did that according to the evidence here, which is the only thing to be looked to, the watching will be abundant. As to sanitary matters they are willing to do it. At the present time, subject to certain control, there is no doubt it is competent for the Guardians to appoint a committee to look after it. Dr. Baerns in his evidence said the Guardians are anxious to look after it themselves. They can do all that is required themselves or appoint a committee to do it—every single thing, so far as I know, with the exception of lighting, and indeed I do not know if that is an exception.

4507. CHAIRMAN.—And watching?

Mr. Ross.—The watching can be done as I mentioned by application to the Local Lieutenant. It is altogether in his discretion to supply a few additional men if that is all that is wanted. The notion of bringing in a great district against the will of the inhabitants solely on the question of watching would be very wrong. Now as to lighting it would be perfectly competent, not only competent, but if they come to the conclusion that it would be reasonable, I would ask the Commissioner to recommend it.

4508. CHAIRMAN.—As I mentioned before we felt a difficulty at first as to the limitation of our powers, and we obtained an extension of our warrant, authorizing us to go into the question of the debt and taxation. We got no authority, however, to suggest the alteration of the law you propose.

4509. Mr. Ross.—I only want not to be included; you will be left to make any suggestions you wish, and the people in this town have a right to ask you, as impartial and impartial gentlemen, to give, if necessary, a recommendation of this kind, that the power in the English Act shall be extended to Ireland, that the Local Government Board shall have the power to confer on any rural authority any sanitary power given to any urban authority. The power of lighting, in the Act, is given to the urban authority, and that would be conferred by the English Act upon the rural authority.

4510. CHAIRMAN.—Now in what you want, and in what as I understand you wish us to recommend, you ask us to give the go-by altogether to the recommendation of the Select Committee, that a township—and for township you may read "united board," should not be allowed to exist as you propose to constitute one.

Mr. Ross.—Quite so; that may be the recommendation, but I do not think you are bound by that. This would not be a township.

4511. CHAIRMAN.—You mean a united board, not to be called Town Commissioners, but having all the powers of Town Commissioners, and to be called an "United Board," and you ask to have that voted immediately outside of Belfast, notwithstanding the recommendation of the Select Committee. Now if we do that, should we not fairly be expected to do it for Cork and all other places, and we could get rid of the difficulty in Dublin; and may we recommend the townships be taken away and called instead united boards.

4512. Mr. Ross.—You come here with all these things in your mind—with the circumstances of other places present to you—and that is one of the things that I have to struggle against.

4513. CHAIRMAN.—You want to create an united Board which would, in fact, be a body of Town Commissioners.

4514. Mr. Ross.—I must admit that some of their powers are essentially the same, but an united Board would be an entirely different body from Town Commissioners.

4515. CHAIRMAN.—The name only would be changed. They are to have the same powers by your proposition.

4516. Mr. Ross.—Well, as to any objection of that kind, it comes to this—you would sweep away, if you carried out that strictly, even the rural authority. In

the Poor Law Guardians you have a Board with every single power existing, save that of lighting, and they might get that very easily. You have over this villa and suburban district a very efficient Board, which, as we suggest, will do the very things that are required without harm to any one; and we only want to substitute here a more efficient instrument, and whose powers and authority will be within the supervision of the Local Government Board. They may give us many powers or as few as they like; but if any view and contention is right, they are capable of doing what my objects want, and which ought to be done for them. They want, and I want to impress upon you to consider their case—beyond the Commissioner, irrespective of Dublin or Cork. They ask you through me—to consider their case fully and fairly, as it has been presented in the evidence. I am sure you will consider every part of the case impartially and fairly, and that any idea you may have formed, founded upon the circumstances of other places, will be put aside, and each district considered simply and purely upon its own merits.

4517. Mr. Ross, Q.C.—I do not intend to make anything in the nature of a speech. In the first place, I wish it to be borne in mind what the position is in which the Belfast Corporation appears here, and the position which I, as their counsel, with Mr. Ross, occupy. This is part of a very large inquiry—of a Commission which has extended its labours to the whole of Ireland, and has come to Belfast to get information there from those who could and would give information. Amongst those who could give information are the Belfast Corporation, and they have felt it their duty to look into the questions the Commissioners have to deal with, and express, without hesitation, the decided opinion they entertain; and when they do that, they do neither more nor less than their duty, and are not entitled to either praise or blame. We have a very large question to deal with, and it ought to be dealt with in a broad and comprehensive way. I do not say, nor does any member of the Corporation say, that because a man happens to be situated in any particular place, he should be either included or excluded; but I simply put it to the Commissioners, whether the time has not come for reconsidering the municipal boundaries. In every large and progressing municipality—and this is a large and progressing municipality—a time must come when it is essential to consider the case of the municipal boundaries. It has appeared to the Government that it would be a fit and proper thing to hold these inquiries throughout the whole of Ireland, and incidentally the Commissioners came to consider the question in Belfast. I don't quarrel in the least with my friends, if they choose to call the districts likely to be affected, purely rural districts—be it so, I accept the name. But don't let the name run away with the reality. The question is not whether the lands are agricultural fields, or farms held from year to year, and the landlords take advantage of them for building-grounds; but whether the districts surrounding Belfast have not ceased to be in reality agricultural, and have become essentially suburban districts, already largely opened up, and all available for building purposes. If it has assumed that character, we should come face to face with the question of municipal extension; and the proper time to do that is before that district is entirely built over—to prevent its being occupied by ill-constructed houses and ill-constructed roads, and to take care that it shall be laid out and built on in a manner not only satisfactory to the inhabitants, but fitting and suitable as suburbs of such a town as this. It is perfectly plain, so plain indeed that I need not address any argument in support of the proposition, that the improvement of a town like Belfast depends not only itself but the immediate neighbourhood, therefore it is idle to say that you are not to extend to those districts the benefits that may be of advantage to Belfast; the more you develop those benefits, the better you make the streets; the more you perfect the sanitary arrange-

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gents, so much better do you make the suburbs; and it is only fair that these suburbs should contribute, to some extent, to the expense of that improvement in the suburbs of which they largely share. You have this state of things on the coast Down side. Not only is the county under a debt of gratitude to the enterprising proprietor for the way in which he has managed the property, but he has largely succeeded in destroying its character of poor ruralty by converting it into a suburban district, and expending a large amount upon it. The Corporation have only to express their opinion on the subject, and that is in favour of the extension, and, if you do extend it, we think it better that such a boundary will be fixed as to render it unnecessary to unsettle it for some time to come. In 1853 that was done. There was a much larger extension asked for than that was proposed, and it took the interval between 1853 and 1859 to make the town ripe for further extension. The Corporation have submitted their views, not dogmatically, but in a way that recommends itself as coming from the body who represent the citizens of Belfast. If it is thought desired to include the Beg Meadow (though the reason it was suggested was having regard to the sanitary matter of drainage) it is a matter of indifference to the Corporation in one point of view, and they only give you the result of their views, leaving the decision, of course, entirely in your hands. Now it is admitted by my able friend representing the Down district that they are in want of a certain better government than they have. That is inevitable, and could not be gained. He had the fact before him that they sought to be constituted a township, but existing legislation unfortunately did not enable them to constitute themselves a legal township. He gave you the Public Health Act, 1878, and spoke of the powers of a provisional order as being capable of being applied to the constitution of a united district. Now when he began to discuss the question, I thought there was little in it, and then, as he advanced his case, he led me to think that his argument was unanswerable. It is fair to him and right for me to say that the longer he was at it the more I saw there was something in what he advanced. But though I would be glad to enter into any legal discussion on the point, yet, for the purposes of the observations I was going to trouble you with, I assume that the Local Government Board could, by a provisional order, constitute a united district with powers such as they were seeking for, but failed to get under the township arrangement, and I affirm, without fear of the statement being displaced, that that would be setting up on the confines of Belfast a township, though it might be an "united district," in name, having a possible bone of contention between them, and the main portion of the borough, an arrangement which indubitably, in the minds of the Select Committee, would be extremely undesirable. If we look at where that has been done, we find that it has given rise to great differences of opinion and great complications, which somehow you will have the labour of disentangling. In Dublin, for instance, they did not take time by the forelock, but allowed a network of townships to be constituted around their boundary so much so as to give a bow-stand to those people in the township to say with some justice, why did you not take us in before? why come now when we are established and are existing under a government of our own? We conceive that the time has come when this question should be considered with reference to Belfast. We say the whole of the district proposed to be taken in, has assumed the character of a suburb, that, within no very distant time—within a limited time—must be built on, and when I say that I do not mean one, two, or three years, but limited in the history of a great town like this, and that the extension should now be made so as to prevent the necessity of a further inquiry for a considerable time. Now, closely connected with that question comes the question of taxation, so much so that the Commissioners were empowered with an additional warrant to make that a portion of their in-

quiry, and it would be a very lame inquiry if that did not form a part of it. It has been said with great force that it would be a gross injustice to sweep in an enormous district consisting of a large tract of green fields and impose on it equivalent taxation to what the heart of the town is subjected to. I don't think any member of the Corporation would go any so self-evident a proposition. But take the thing fairly. The existing taxation of the proposed extended area must shortly be increased, whether it is brought in or left outside the boundary. Its present taxation isn't sufficient, as appears clearly, for the requirements of the district; keeping the roads in repair, providing for proper sanitary regulations and other improvements so essential in the nature of drainage and sewers. The water supply, too, will come to be essential, and every one of those necessary objects means the expenditure of money. Therefore when they compare the existing taxation with the probable taxation they may be held to when they are brought in, they have not the largest element as to what the measure of taxation must necessarily be that will be reasonably adequate to perform the services that they admit are to a large extent essential. Now I expected inasmuch as there was an interval between August and October that there would have been a great deal more precision manifested in the evidence. The gentlemen here who delivered able speeches to you spoke of the misapprehension of the thing not being brought before the public in time, though with the evidence taken down by the shorthand writers and published in the papers, disclosing substantially the Town Council's views and the interval that had elapsed, I can only say that if they have not been able to make up their minds, double that time would have done them no good. Shortly before the Commissioners assembled, so shortly before as to lead me, though I may be wrong, to believe it was not without regard to that assembling, a motion was made that something or other should be constituted a united district. The resolution which was so carried asked that the electoral division, so far as it is situated outside the borough of Belfast, should be formed into a united district, and the very circumstance that they have not been able to define what they want better than they have, to give you a scheme in such a way as to show you what staff would be required, is a strong argument to bring them into the existing constituted body which I say has discharged its duties in time past in a way that will certainly compare favourably with what is to be found in England or in Ireland. It has come before one of you on a previous occasion as to how the Corporation of Belfast has managed its business. You have had an opportunity of investigating that, and having regard to the sanitary position of the town, I think I may say fairly, though they are my clients, that the Belfast Corporation have discharged their duties, and that I have the high authority of the Chairman of this Commission for the statement. If that be so the question for your consideration is, if no scheme can be proposed which is tangible or practicable! If government is required for these districts, what better can be done than to bring them into a body which in the past has discharged its duties well? All they are able to say in this—for it was the burden of every question put to the witnesses—that these 3,700 acres will suddenly become liable at the option of the Corporation, ignoring the question of appeal, to be added with the additional taxation of lighted and watched districts. Look at the history of the increase of 1853 and you will see from the map that the whole of that district has not been lighted and watched yet. It was done by slow degrees, and just as it happened to be wanted. No fault was found with the Corporation on that account. Headwork could be brought forward to prove it, if in any case injury was inflicted on any individual, and yet no one has come forward to show that any order made to take in any additional district for lighting and watching was complained of or was otherwise than welcome and beneficial in its results. An elective body knowing the interests and

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waste of those they represent would not, I may argue, do so absurd a thing as to impose an additional taxation on a number of people who do not require it. Now, as to taxation, there is a machinery under which differential taxation exists, inasmuch as the police rate cannot be imposed on land not lighted and watched. Now one of the things brought forward is that if the St. Ann's, Ballymore, Malone, Port William and other districts are brought in there will be miles and miles of roads then coming within the denomination of streets, and that if you choose—that sensible men in the Corporation would do it is absurd—you can prospectively order them to be paved and sewered, and thereby impose additional taxes on owners and occupants, and thereby disturb the relations of existing contracts. Now you will have an opportunity of seeing these roads. You have already received an account of them from the witnesses who examined them, but you will be able personally to inspect and form an opinion of them from your own eyesight and practical knowledge. Let them I would say, be given over to the Corporation, as suggested by the Chairman, in what in the opinion of the Local Government Board or their competent official would be considered good county order—as roads ought to be, and allow any order made for paving and severing after that—or any structural expenditure—to be subject to appeal to the Local Government Board or their officer so that the fullest protection can be given against anything that may be ordered in the exercise of opinion. Gentlemen have stated as a matter of professional opinion, that if we had these districts we would drive people out of them, because building ground outside or beyond them would not be liable to the same taxation. It has been said—"you will retard progress and injure property." That has been presented as a formidable argument. Now on this point it is desirable to recur to history and experience, and you have it in evidence that cannot be attempted to be controverted—you have it on the evidence of the Mayor, who is intimately acquainted with the town and district, that the area added in 1853 has improved, has increased, in value, that building operations have gone on more rapidly owing to the simple fact of its having become part and parcel of the town. What reason I ask can any one have for suggesting or believing that the views so put forward and borne out by the facts are in any sense whatever erroneous, or misleading? Now as to the question of the wards I would just say a word or two. Assume now that the Commissioners may adopt the views of the Corporation or disregard them—or they may adopt the view put forward by a gentleman yesterday, and curtail the boundaries, though I do not at all see how that can be done—I have however, to assume there will be some extension in considering the question of the wards; assuming then that an extension was recommended, and an extension similar to that suggested, though not dogmatically, after great labour and consideration by the Commissioners—the condition of the town at present is simple enough. We have in it five wards, each of which is represented by two aldermen and six Town Councillors. Therefore there is a representation of forty men in the governing body of the town, elected in the ordinary way, a Mayor, Aldermen, and Councillors. Now what we would propose is this—instead of five wards, we have to consider the enlarged condition of the borough and that a very substantial area will be brought in on the county Down district, and it would be extremely unreasonable, if a district so taken in had not an adequate voice in the election of representatives, and it would be equally unfair if other like districts had

not their own fair share of the representation. We think therefore it would be well for the five to be increased to eight—to allow the county Down side to have substantially two, although to bring them to something like a par, it would be necessary to take a little bit off the Antrim side, one Alderman and five Town Councillors would be a suitable number from each of the eight wards. You would then have forty-eight in all, and if the county Down district had twice that would appear to me to afford the people of that district an adequate vote in the Municipal Council. If it is thought however, that they should have more, by all means give it to them. Now as to the boundary to do not wish to make any violent change. It would be desirable perhaps to take some central point and from that let the wards radiate to the extreme limits of the boundary. We should endeavour to secure equality as well as it can be done—absolute equality is impossible—and when you do that you will be free from having it said that you had regard to any class interest. As to the number of voters or the probable number of voters in each ward it is a point very difficult to deal with accurately. In the table prepared (see Appendix No. 13)—not with a view to absolutely perfect accuracy, for that is unattainable—in given something like what the number of voters in these wards would be. The ratings we have taken in this enlarged area are ratings exceeding £8, and if they exceed £8 to any extent—even 1s. the large majority would have a vote. Our opinion is that about half the ratings exceeding £8 (making allowance for short residence—absence—and matters of that kind would give the number of voters. The table we have prepared gives you an idea of what the probable number of voters would be, and if you strike off 50 per cent. it would indicate about what the number in each ward would be. Leading thoroughfares, as you will see by the map, have been, where available as boundaries, adopted as such. We present that map for your consideration and your consideration alone, and if any one has a better one, let him present it. We make no proposition simply in discharge of our duty, to aid you in considering what would be a judicious and proper arrangement of the wards. I cannot for a certainty assume that you are going to extend the boundary. No doubt if the wards were to be made new, changes and material changes might suggest themselves as necessary or desirable. Southfield ward for instance is smaller than the others, but if the Commissioners do not think it to recommend an extension, we would not think it desirable to recommend any disturbance of the existing wards.

4518. CHAIRMAN.—I see from this return that there are three wards, York St. Anne's, and Ormeau, that would only return as many as four?

Mr. Andrews.—We have endeavoured to draw the line as well as we could.

4519. Mr. Robinson.—How many representatives do you propose for each ward?—Five town councillors and one alderman.

4520. CHAIRMAN.—Have you thought whether you would not give a larger number to one ward than to another?

Mr. Andrews.—There is scarcely enough of difference for that, and it might possibly have the effect of introducing an element of jealousy that we would willingly avoid.

4521. Mr. Robinson.—Was it found impracticable to make the municipal wards continuous with wards for poor law purposes.

4522. Mr. Andrews.—Absolutely. We found we could not adopt them or make the two continuous.

Mr. Black.

Mr. BLACK Town Clerk, examined.

4523. Mr. Bruce.—Has this map been prepared and adopted by the Town Council?—Yes, in consequence of the intimation from the Commissioners they thought that if the borough was extended, an increase of the wards was desirable.

4524. Would you tell the Commissioners in a word or two, the principle upon which that map has been prepared?—We took the Town Hall as the centre of the town, and in each case radiated to the borough boundary, adopting in every case as far as possible

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the leading thoroughfare, and endeavouring as far as we could to give an approximate equality in the amount of valuation in each ward.

4525. Is that a table (produced) showing approximately the valuation?—Yes.

4526. You hand in that?—Yes (see Appendix No. 14).

4527. Was it prepared under your direction?—Yes.

4528. As well as the table handed in by Mr. Andrews, showing the ratings above £8?—Yes.

4529. Is it your experience, as has been stated, that 50 per cent. taken off the number of ratings above £8 on the books would give you the number of voters?—Yes, on an average.

4530. Mr. Corbett—Fifty per cent. of those over £8?—Yes. On the present municipal roll, 47; but 50 is a rough approximation.

4531. Could you give us the total rating in each case, as well as those above £8?—It could be made out.

4532. CHAIRMAN.—What is your proposal on that point?—There are 12,333 persons rated over £8, and on that calculation it would give us some 6,000 house-owners on the roll; that would be about 700 or 750 in each ward, in round numbers.

4533. Now, could any arrangement be made by which the Croxson ward and others could get larger representation than the Dock?—It would be practicable if you reduce the number of the representation of Dock and Ormeau, and give more to Croxson.

4534. Mr. Corbett.—Which are the progressing wards?—Dock and Ormeau are increasing rapidly.

4535. Mr. Robinson.—What effect would an alteration of the wards such as is proposed have on the representation of the Water Commissioners?

4536. Mr. John Ross.—It would have a very remarkable effect.

4537. Mr. Robinson.—Would the alteration of the wards alter your electoral district?

Mr. Ross.—It would abolish us. There are five wards at present. Each returns three Water Commissioners; and if they had eight in place of five, I don't see how we would manage it, unless the number of our Board be altered to suit the wards; and we wish to avoid that.

4538. CHAIRMAN.—Suppose there were nine wards, you would have nine to elect your Commissioners from?—

Mr. Ross.—Mr. Black and I have been very good friends, and I apprehend that although he would be anxious to keep things as they are, he will find it difficult to controvert what I say, when I state most deliberately and emphatically, that 75 out of every 100 people whose opinion is worth anything on the subject, would be and are in favour of 15 wards in place of 5. That I am prepared to establish when I go into the box.

4539. Mr. Ross to Mr. Black.—How long have you been a resident of Belfast?—Since January, '46.

4540. Long before you were solicitor to the Corporation you were a member of the Town Council?—Yes.

4541. What time were you first elected?—About the year '56 or '57.

4542. For what ward?—George's.

4543. Did you continue to represent it continuously?—Yes, from '56 to '71.

4544. Were you nominated by any organisation?—I am not aware.

4545. Don't you believe you were nominated for a ward by the Conservative Association of which I am now an unattached member?—Very possibly.

4546. They had a paid staff of officers to secure your election?—I was not a member of it.

4547. Were you ever a member of it?—I was.

4548. CHAIRMAN.—What has that to say to the question? I suppose parties will have their organisation still, no matter what alteration may be made in the wards.

4549. Mr. Ross.—It is of importance. I maintain

that the big wards are quite unmanageable. Is it not a fact that at present the system is to get in and keep in the men who once got nominated for the Town Council?—I think not. I have known frequent candidates.

4550. Yes; but are not the gentlemen who contest the wards frequently unsuccessful?—Yes.

4551. Have you any idea of the probable cost of contesting one of those large wards at present?—I have fought one or two wards, and I don't think it cost me £1 each time.

4552. Because you were backed up by an organisation, and had the aid of all its paid staff?—No, nothing of the sort.

4553. Has it not cost men contesting it £40 and £50, which they might as well have thrown into the river?—Oh, no; I don't believe it.

4554. Has there not been general dissatisfaction frequently expressed at municipal and other inquiries with regard to the action of the Town Council?—Well, certain parties are always complaining; but I think the majority of people approve of the action of the Town Council.

4555. Has there not been a general grumble, and is it not because the gentlemen cannot possibly get into the Corporation except at enormous expense?—I do not think so. There cannot be that expense unless they seek to bribe the constituency.

4556. I am speaking of bringing up in one ward, 1,700 voters—the expense of that?—I don't think there need be any expense bringing them up.

4557. Did you make any inquiry in order to ascertain as to what the number of voters originally was when the Municipal Act came into force?—No.

4558. Can you recollect any details as to the formation of the first borough-roll?—No.

4559. Do you recollect when the Municipal Act was passed?—In 1840.

4560. Was not the first borough-roll in '44?—I don't know; it was before my day. I did not go into that question at all.

4561. Would it not be reasonable that the number of burgesses in each ward should be the same as was originally fixed in '44?—I think it has nothing to do with the question.

4562. Would it not be desirable to have something like the same numbers now as then?—No.

4563. Why?—Well, the number of inhabitants then was not more than one-third what it is now.

4564. Why propose to have eight wards?—The increase has been made to meet the suggestion of the Commissioners here.

4565. On what principle?—It was suggested that the Corporation should consider the question of increasing the number of wards. They have considered it, and eight wards are proposed as a fair arrangement, and one that would work satisfactorily.

4566. Why did they go in for an increase of three wards and not for an increase to a greater number?—They thought anything more than eight would be unnecessary.

4567. How many voters would probably vote in each ward?—It would give an average of about 750.

4568. What would be the largest number in any ward?—Twelve hundred—about that in Croxson.

4569. Is there any salary attached to the office of town councillor?—I never heard of any.

4570. Do you know any man who, without some personal object to serve, would like to canvass 1,200 voters, and bring up at least 600 to put him in?—I do not see why you ask such a question. You have contested every ward in the town at some election, and you must have had some object in your mind.

4571. Mr. Ross.—I sent round circulars—quite right—but I never went into an actual contest.

4572. What is the constituency in the other wards?—There is No. 1, York, with about 950 qualified to vote; No. 2, St. Anne's, 1,075; No. 3, Smithfield, 760; No. 4, Donegal, about 680; No. 5, St. George's,

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670; No. 6, Crosses, about 1,325; No. 7, Ormeau, 600; and No. 8, Dock, 460, about.

4573. Well now why do you say there should be 460 in Dock, and 1,325 in Crosses?—You must take the valuation of property as a consideration, as well as the number of people qualified to vote.

4574. What do you put down as the valuation for each ward?—No. 1, York, £73,766; No. 2, St. Anne's, £81,481; No. 3, Smithfield, £86,314; No. 4, Douglas, £78,193; No. 5, George's, £73,311; No. 6, Crosses, £76,614; No. 7, Ormeau, £36,019; No. 8, Dock, £53,734. Every class of property would be represented in each case.

4575. CHAIRMAN.—Ormeau would comprise Strandtown, Ballynacrevy, and Knock 1.—Yes.

4576. Mr. Ross.—Can you give the areas of the different wards?—No.

4577. Can you get it by tomorrow?—I think the valuation has more to do with it than the area. I don't think the area has anything to say to it.

4578. Why not? does it not show how far they would have to come to vote.

4579. CHAIRMAN.—In Ormeau and Dock they would have to come the longest distance. That, however, would depend upon where the polling places were.

4580. Mr. Black.—We can have several polling places.

4581. Mr. Ross.—Who prepared that map for the consideration of the Commissioners?—It was done in the Surveyor's office. I was there, and Mr. Hallitt and the Committee.

4582. Aye. Who were the Committee?—There was Mr. Henditt, the Mayor, and others.

4583. You could easily have made fifteen wards by cutting an East, West, and South, by dividing St. Anne's into three, and dividing the others into three.

4584. Mr. Robinson.—And add the entire of Strandtown to Dock.

4585. CHAIRMAN.—I don't see how you could make them as you have just now put it. Would it not be an extraordinary thing to make a district running from north to south over some miles, and east to west over some miles into wards, and to make three wards out of St. Anne's.

4586. Mr. Ross.—I would make the wards all radiate from a common centre. These wards are ridiculously large.

4587. Mr. Robinson.—Having regard to the population and valuation, would it be possible to make the wards equal in size?

Mr. Black.—No, it would not.

4588. Mr. Ross.—Would it not be possible to make them nearly so?—No, unless you cut some off here in one place, and pitched it on to another.

4589. But supposing you varied your lines could you not do so?—I think not.

4590. Did you lay any information before the Commission as to the number of burgesses in the wards in '41?—No.

4591. Then when the Committee settled on this arrangement or re-arrangement of the wards they did not know anything about the number of burgesses in '41?—Not from me.

4592. Had they any information as to the number of burgesses in wards of other municipalities of Ireland?—I think they had.

4593. What information had they in relation to that?—It was mentioned that Dublin had fifteen wards.

4594. Had they a list of the Dublin wards?—No.

4595. Nor I suppose of the number in each ward?—No.

4596. Then it would seem they had no information whatever?—Oh, yes, they had quite sufficient.

4597. Indeed you gave them sufficient information?—They had sufficient. We were only dealing with our own town.

4598. How could you ascertain with any degree of fairness, how many burgesses there should be in each ward if you did not ascertain the particulars as to

other towns?—We don't take other towns in Ireland as an example to Belfast.

4599. Oh, indeed. Don't you think the legislators would probably adopt a common principle for towns in relation to this matter?—Well I hope if they do that, they will also drink to Belfast.

4600. And make them utterly unmanageable in Dublin, so unmanageable as in Belfast?—Nothing of the kind.

4601. When the committee decided was there any public meeting of the Corporation?—No.

4602. Then I take it as your evidence that there was no adoption in presence of the public of this plan or system or arrangement to lay the committee?—No.

4603. How many sittings had the committee?—Four or five, I think.

4604. Occupying how long each sitting?—It varied; sometimes it was an hour, sometimes I should say two.

4605. How many sittings of the Corporation was there on the question?—Only one, I think.

4606. What sort of a meeting?—A meeting of the council in committee.

4607. The council in committee, that is what I used to call the council in conspiracy?—There was a meeting of the council in committee and it was approved of.

4608. Mr. Ross.—I contend, Mr. Commissioners, that the Corporation are not in point of law here at all, and that there is not the slightest authority for anyone to put that map forward as the project of the Corporation to be adopted by the Commissioners. The Corporation have never been called together. Probably if they were they would express themselves strongly in favour of the fifteen wards.

4609. CHAIRMAN.—They have had ample opportunity of considering the question since the last time we met here.

4610. Mr. Ross.—No more than the Chancellor of the Exchequer or the Lord Lieutenant, and I say there is no right in anyone to put those statements forward as the views of the Corporation on the question, they not having been legally summoned to consider it.

4611. CHAIRMAN.—Remember that when the former extension was made Captain O'Brien simply went round and saw for himself.

4612. Mr. Ross.—I mean to ask the Commissioners to make an order that the Corporation be called together and give a legal authority to their solicitor to bring this plan or proposition properly and legally before you. At present, as you see clearly, he has no such authority good, bad, or indifferent.

4613. CHAIRMAN.—The last time we met here we put forward the state of the question publicly. Every one knew exactly how the matter stood, and it is really nothing to us even if they did not consider it, if the Corporation did not in public meeting consider and discuss the point, it really makes no difference since we have the proposition now before us.

4614. Mr. Ross.—I happen to be one of the burgesses of the city, and was for several years a member of the Corporation, and I want to draw attention to this point. The burgesses have been kept quite in the dark about this thing. The Corporation, as the Commissioners are aware, can only be called together by summonses sent out by the Town Clerk, summonses which must be sent to each and every one of the forty three clerical days before the meeting, and in that summons, unless for a quarterly meeting, all the propositions must be supposed to be laid before them. That applies to ordinary monthly meetings, not to quarterly meetings, and no man can move any resolution unless notice is given in the summons to give members timely and necessary information as to what is to be brought forward. At quarterly meetings it is different. If a special meeting is to be called, it is to be called on the requisition of five members, and the summonses therefor must be issued and served three days before the meeting on each member of the Council. But when the Corporation wished to do a job—at least so it was in my time—they did not call a special meeting or

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being forward their proposition at a monthly or quarterly meeting, but called a meeting in committee, which in fact was no meeting at all, and they met at 12 o'clock, or any other hour, passed their little resolution, and called it a resolution of the council in committee. That system led to gross abuse, and was in point of fact one great cause of all the misfortunes to the town of Belfast; but in the old times, when they got their resolution passed at the council in committee, they generally had the decency to bring it forward to be read at the monthly or quarterly meeting, and because it was in that way which it became an order of the Corporation, as it would be if there had been no antecedent meeting, and was all right. In this particular case there was a little meeting of the kind, the public were stubbornly kept in the dark, and everything in connection with it clearly points to this, that the proceedings were of a surreptitious character to keep the unfortunate ratepayers in the dark, and by that means accomplish a foregone conclusion.

4615. Mr. Black.—The sub-committee considered it and submitted it to the council in committee and they approved of it.

4616. Mr. Ros.—It never came before the Corporation in public meeting considered.

4617. Mr. Robinson.—Have you any amendments to it to propose?

Mr. Ros.—I deny Mr. Andrews' authority or Mr. Black's authority, to put forward the proposition they have done as representing the Corporation. It is as clear as light.

4618. CHAIRMAN.—There is a proposition made to send a map to show how it can be carried out. Now, as I understand, you do not agree to that proposal. Let it be for the time being supposed that we have not any map whatever except the map with the existing wards. Now, we leave it to you to say let the wards stand as they are, or even entail them, or do you as an individual ratepayer, or as representing the Water Commissioners, make any proposal? If you do we can then see which we think best. Your proposal might not be agreed to by others, and others may put forward distinct proposals, and then we will have to consider them all, and make the best decision we can in our judgment. This map is what Mr. Black puts forward, and we are to judge of it as it stands. Have you any proposition to make?

Mr. Ros.—On the 7th of August last, the following resolution was passed by the Board of the Belfast Water Commissioners:—"That the Commissioners now present at a meeting of the Law Committee, instruct their solicitor to press upon the Municipal Boundary Commissioners, the necessity for having the wards increased to fifteen, and not to interfere at all in relation to the extension of the borough boundary." Last night the attention of the Board, at their ordinary meeting, was called to the matter, and the following resolution was passed:—"That Mr. Ros. be instructed to do his utmost to carry out the resolution of the Law Committee of the 7th of August last, as to the creation of fifteen wards, before the Municipal Boundary Commissioners." Here in the town against the town, and I am here representing the Water Commissioners, to say that that map is not properly before you, and that the proposition unanimously come to by the important Board I represent, should be as I believe beyond the shadow of a doubt, it will be adopted. Now there was no resolution of the council authorizing the step that has been taken on their part.

4619. Mr. Black.—Pardon me. On the 4th of October the following resolution was passed:—"The town clerk reported that the Boundary Commissioners had expressed an opinion that the council should reconsider the question of a re-arrangement of the wards, and that they appeared to think the number of wards should be increased: 'Resolved, that the mayor be requested to summon the council in committee for Wednesday at two o'clock, to consider the matter, and that this committee recommend that a scheme for increasing the number of wards to eight, be submitted

to the Commissioners, each ward to return six members of the council.'"

4620. Mr. Ros.—All I can say is that that was grossly fraudulent. There is as much jurisdiction in you sending forward a proposal and try and sentence him as for the Corporation of Belfast, and in this case, to come forward in the way they did to consider a recommendation, having for its effect the repeal of a large portion of the Act—an Act which follows them with serious and grave responsibilities. I may say here that there have been, as you are no doubt aware, a vast number of complaints among the burgesses as to Mr. Black's having had apparently too much of his own way before this tribunal. I am sorry that those gentlemen who write those letters and grumble in this way, do not come forward and boldly tell the Commissioners what they think and ask them to reserve any interludicary judgments.

4621. CHAIRMAN.—What point are you on now Mr. Ros?

Mr. Ros.—Merely this. The rules regulating the summoning of meetings of the Council I have briefly mentioned to you—couldn't you are, at least the Chief Commissioner is, perfectly familiar with them—under the section of the 3rd and 4th Victoria, the Municipal Act, it is provided as follows:—

(Mr. Ros reads the section referring to the summoning of meetings by the Town Clerk.)

Well it is deliberately admitted that the gentleman appearing here to maintain what is put forward as being the case of the Corporation has really no focus stand whatever. He had no authority whatever to appear here as representing the Corporation, and I am now at a loss to know how, under those startling circumstances, and upon what principles we should now go on any further. I was the first to bring forward the undoubted fact that there was a general wish to have fifteen wards, and I am certain the Commissioners will be of the same opinion. There are fifteen in Dublin, and there should be fifteen in Belfast.

4622. CHAIRMAN.—But supposing the result of the inquiry will be to lessen the number in Dublin?

Mr. Ros.—I am perfectly convinced that if I was a member of the Corporation, I would on this point carry the Council by thirty to ten. A Corporation must of necessity be governed by speakers, and where there are none the official must carry his own way, and I do not think that the Corporation will, against the express wish of the entire town, go in for eight wards, and against the proposition for fifteen. Now these proceedings have been reported in the newspapers.

4623. CHAIRMAN.—Mr. Ros, what exactly do you wish us to do—are you going to ask Mr. Black any more questions?—I tell you what I want you to do—I want you to do what I hear suggested on all sides. I want you to adjourn—and I insist upon an adjournment to give the Corporation time to consider the question.

4624. If we did that we would certainly be obliged to report to the Lord Lieutenant that we could not conclude the Commission.

4625. Mr. Ros.—On the 6th of August, you sat here, and I appeared on that occasion for the Water Commissioners. The next morning you said that you would hold over the question as to the wards, until you had finished the question as to the boundaries extension. Well, I said, "Don't deprive me of the opportunity of getting my witnesses—I want to examine Sir Thomas McCune and others, and the best time to do it is when they are here and available." It was, however, definitely decided to wait until the boundaries inquiry was over before touching the wards. I said as to those witnesses, I wished to have in favour of my view, that you could not remember them. The misfortune to which I alluded has happened—the witnesses are gone, and I am convinced that if I had been afforded an opportunity of asking those witnesses the important questions that occurred to me,

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I should have brought them to express an opinion favourable to my view.

4636. CHAIRMAN.—You know Mr. Res, whatever witnesses you require you can very easily get. I don't see how there need be any great difficulty about that. If you wish to ask questions of any gentlemen who are not here, I will write to them if you choose, and I am sure they will be only too glad to attend to give any information.

4637. Mr. Res.—You could force them to attend by saying that if they did not you would strike their evidence off the notes. It would be material that I should be supported in the view of having small manageable wards. This inquiry has been adjourned, and ample notice given of it. By giving three days' notice the Corporation could have easily held a meeting, say on Friday, to consider it; they could have appointed a committee to consider it; that committee could have reported to the Council at their monthly or quarterly meeting. There was plenty of time to consider the recommendation, and yet at the monthly meeting on the last of September, there was not a word said about it—no notice taken of the recommendation of the Water Commissioners. The Town Clerk on the contrary deliberately avoided the matter on the last of September. No attempt has been made to call a special meeting to consider a question of such vast importance, a vast measure, and one that may very possibly have an important effect in regard to the sanity of Ulster. Not a word from Mr. Black or any of the aldermen, or any of the thirty councillors. On the last of October they again assembled, and still not a word from Mr. Black, or the Mayor or Town Councillors, on a question so vitally affecting the ratepayers. Not a word as to whether the wards should be increased or diminished—not a word as to whether a man was to be obliged to canvass 400 or 500 voters, or was to be obliged to bring up 1,701, 1,300, or 1,005. That question was apparently unworthy of their attention, and I will be able to show what trifling and comparatively insignificant subjects did occupy their august attention, and were carefully debated, not one word being said of this vast question, and no reference made to the Commissioners. I want, if I can, to make your report a genuine and a bona fide one, and I say say that I never was more convinced of anything in my life than of this, that there should be fifteen wards, and in saying that I am persuaded beyond the shadow of a doubt that I express the views of the great majority of the people of Belfast. I impeach the gentleman, the three or four individuals who got up this map, I impeach the gentleman who acted surreptitiously and fraudulently for the purpose of keeping the ratepayers in the dark, and of stopping this Commission into making an erroneous and malicious report which would be wholly disregarded in Parliament, and the Commissioners ought to be very much obliged to me for bringing out what they otherwise would never have heard of. My independence has cost me some £50,000 or £60,000. Now as to the adoption of the proposition for eight wards, I may say that I never was more surprised in my life than when one of the most active persons in Belfast found out by a mere accident that there had been a meeting of the council in committee, and that the majority went for eight wards with Mr. Black. Now I want to know on behalf of the town of Belfast on what day was the first meeting held at which this proposition was made.

4638. CHAIRMAN.—I don't know and I don't care, if they only prepared that map.

4639. Mr. Res.—Who are "they"?

4640. CHAIRMAN.—Mr. Black, if you choose, or anybody else. I take it as his or their individual proposition, and it just goes for what it is worth. Let us take in if you will as the suggestion of one individual.

4641. Mr. Res.—Then it would appear to me that the Commissioners have come to the conclusion that Mr. Black is the Corporation. I object, sir, to struggle on the part of the Belfast Water Commissioners against a proposition made by Samuel Black as an individual.

4642. CHAIRMAN.—You object on the part of the Water Commissioners to have the town divided into eight wards?

Mr. Res.—Under the authority of the Water Commissioners I was instructed to alter the number of wards under our proposition to fifteen; each ward to contain as nearly as possible 400 voters, as in Dublin, Liverpool, and London.

4643. CHAIRMAN.—That would be impossible, the wards must be marked out by landmarks or streets.

4644. Mr. Res.—You can first settle the principal, and I respectfully ask for an adjournment, not for the interests of the town, not for the interests of the Commissioners, but in the interests of the rights of the people of Belfast. I want you to adjourn for a fortnight.

4645. CHAIRMAN.—I know, Mr. Res. I have spoken to both my friends, and it is impossible. If you choose to get on the part of the ratepayers an order from His Grace the Lord Lieutenant to have the warrant intended so as to enable us to hold a further inquiry, we will do it, but in consequence of the work we have on hand it is impossible that we can have a further adjournment. If you choose to send up any communications from ratepayers or others interested, we will give it the fullest consideration in our power, but it is really impossible that we can have a further adjournment unless His Grace directs us to come here again.

4646. Mr. Res.—The idea of an adjournment was suggested to me by a gentleman who represents something like 70,000 of the valuations of the town. I press it and ask you not to decide without consideration. You say it is impossible, I say *not* justifiable *not* to adjourn.

4647. CHAIRMAN.—If that gentleman sends a communication to His Grace the Lord Lieutenant requesting His Grace to direct us to come back again, we are perfectly willing to do so. But, according to the time at our disposal, we have given to Belfast more than could reasonably have been expected.

4648. Mr. Res.—This gentleman I speak of paid several votes all of which I do not agree with. As to the question of adjournment he agrees with me. The communications to the Lord Lieutenant would be by resolutions of the largest public meetings ever held in Belfast. We have nothing to do with what is impossible or what is not. You have a duty to perform and I am sure you will do it. Other Commissioners may have to be appointed for small towns. We wish you to devote yourselves to Belfast. If you then have work to do that ought to be done by six or nine, the sooner His Grace appoints more the better. We want you to assist us.

4649. CHAIRMAN.—As to small towns we have finished all, with the exception of Hollywood and some small inquiries to be held near Dublin.

4650. Mr. Res.—I say now that you should give a week or a fortnight so that the council can hold a special meeting to consider the proceedings of that committee. The proceedings of that committee were illegal.

4651. CHAIRMAN.—Really, Mr. Res, I have endeavoured to explain to you, that we take the proposition put forward—whether it be the plan of Mr. Black or the plan of the Corporation it matters not—we take this plan or map just for what it is worth—we judge of it simply upon its own merits taken in connection with all the evidence. We simply seek for information in the terms of our warrant. You object to that map, so be it. You say there should be fifteen wards; well we want your evidence if you have any to offer, and if any gentleman has a plan by which twenty wards should be made, we are perfectly willing to hear him. We cannot decide without information.

4652. Mr. Res.—I know all about everything. I have appeared before Royal Commissioners and I think the better thing to do now is to adjourn until to-morrow morning, and we will then see what step is most advisable to be taken.

[The inquiry was then adjourned until next morning at 11 o'clock.]



## BELFAST.—TENTH DAY.—25th OCTOBER, 1879.

Belfast,  
Oct. 25, 1879.

4643. CHAIRMAN.—During the inquiry yesterday, I said, in reply to an observation of Mr. Rea, that I could sit on Monday and Tuesday next. Now, in consequence of letters I have received, I am obliged to be in Dublin on Monday next.

4644. Mr. Rea, Q.—I am in the same position.

4645. CHAIRMAN.—Therefore the inquiry must terminate to-day by 2 or half past 3 o'clock. We can now take the opinion of any one having any proposal to offer. Our business here is to receive information to enable us to make recommendations regarding the wards, and after we leave to-day, I wish it to be distinctly understood that if any one wishes to send in any statement or proposal in writing, we will be glad to receive it, and give it every consideration. The Water Commissioners propose fifteen wards through Mr. Rea.

4646. Mr. Rea.—You have listened to a good many witnesses on the subject of the extension of the city boundaries. I know the inner ratepayers would not allow the outer ratepayers to be unfairly burdened. I know there is a considerable district under the Town Council which is not lighted or watched, because there are not sufficient houses to enable them to do so. I endeavoured to draw attention to the fact that if they went for fifteen wards an extension of the boundary would be readily amended to. It is the same thing to be under a Grand Jury as to be under the Town Council. I could probably have got a good many of those who object at first to the proposition—I could probably, and I believe most certainly, have got them to agree to an extension, in consideration of the fact that they would get a proper representation. I now contend that this question as to the wards is ten times as important as that of the municipal boundaries extension, and, moreover, if it was properly and patiently heard and considered, it would settle the question of the boundaries. Consent will undoubtedly be given to the extension of the boundaries, if it is allowed that those who are brought in—that all, in fact—shall have proper and adequate representation on the Town Council, whether Mr. Black or others agree to it or not. I would ask, then, whether I—representing, as I do, the oldest Corporation of Belfast—older than the Town Council—are not to be allowed to open my case, and to address the court in reply to what has been already put forward—are I to be deprived, in fact, of the privileges that have been accorded to Mr. Black and others?

4647. CHAIRMAN.—All I wished to convey was that, considering the time at our disposal, and the time that has already been given to the inquiry in Belfast, whatever proposition was to be made should be put forward as briefly as possible; and I do think that there is no need for further speeches on the subject.

4648. Mr. Rea.—But this is a large question, worthy of the fullest discussion and consideration.

4649. CHAIRMAN.—Understand, Mr. Rea, that it is information we want, and not long speeches. We want no information about the constitution of the Town Council, but as to whether the existing wards should be altered, and if so, in what respect. We will take the opinion of any one on that point.

4650. Mr. Rea.—Excuse me. I ask you to carry out your contract—to bring all the witnesses; and I tell you on my honour, that I believe all the witnesses, with the exception of the Town Council officials, will unanimously speak in favour of fifteen wards—if they are produced according to your undertaking.

4651. CHAIRMAN.—I gave no such undertaking. What I said was that if you gave me the name of any witness whose attendance you required, I would write to him or to them, and do my best to secure their attendance; for, as I mentioned to you before, and as you are aware, I have no power of summoning wit-

nesses to appear. You say something about your not being heard; but I would remind you that you spoke for a very long time yesterday, and were heard very patiently until long after 5 o'clock. During all that time the only information we have got appertaining to the subject-matter of this inquiry, was that you were authorized, on the part of the Water Commissioners, to ask, if any change were made in the existing wards, that the number should be fifteen, that you, as an individual ratepayer, believed that was the least number that could be fairly made, and that a great many ratepayers want in for at least fifteen. I think you also conveyed that some ratepayers were far more than fifteen. Then you said, in answer to a question from me, that the subdivision should be into districts of 400 voters each—as I understood you, and, indeed, I think that exhausts all the information you have yet given us.

4652. Mr. Rea.—I wish it to be distinctly understood that I am here sitting with the most perfect willingness to abide by any order the Commissioners may make. Whether that order is right or wrong, no matter. This, however, I do believe, that however strong your opinion and views may at the present moment be upon this very momentous question, I will accept before the inquiry is over in bringing you round to my side, and get you to adopt all my views. My object in asking you to give me an opportunity of asking questions of the witnesses who have been examined was, that you would have an opportunity of seeing, as I most confidently believe you would have seen, that each and every one of them would have been in favour of the fifteen wards. I have said this question of the wards is, after all, the great and vital question before you, for the extension to these thinly populated districts will not alter all very materially increase the number of voters. The great question for the inquiry was, whether the wards should be extended or altered quite irrespective of whether the boundaries should be extended or not.

4653. CHAIRMAN.—Do you intend offering us any evidence?

Mr. Rea.—A moment, sir; you expressed a determination, I think, a short time since to decide this question, or, at any rate to finish its discussion, by half past two o'clock, because, I presume, you have public business to attend to on Monday elsewhere. The result is that Belfast is to be thrown over and completely—

4654. CHAIRMAN.—I will not be misrepresented. I told you yesterday that if your clients thought there should be an investigation extending over a month (you said it would take a fortnight at least), all they had to do was to apply to the Lord Lieutenant to authorize us to come down, and, by extending the warrant, enable us to further consider this question. We would then come down with great pleasure—we might as well be in one place as another. I explained to you, however, that considering the time at our disposal, and the amount of work we have to do, we could not devote more time to this question, unless as I explained, we obtained an extension of the warrant, and that, certainly, we could not devote to it the time that you would seem to anticipate it would take. I told you, at the same time, that we wanted to obtain information. We have heard you on considerable length, and have really desired little (if any) information from you. Now, I would ask you, Mr. Rea, if you have any proposal to make, or, if you decline to make any proposal on the part of the Water Commissioners. Is the Chairman of the Water Commissioners here?

Mr. Rea.—No; he is in London.

4655. CHAIRMAN.—Then, I ask what do the Water Commissioners suggest?

Mr. Rea.—I may mention to you that I received

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instructions from the Water Commissioners in their corporate capacity to obey the orders of these Commissioners; you told me yesterday evening it would be impossible for the Commissioners to give one day to Belfast after this day as you had business elsewhere. I argued that in that case there ought to be other Commissioners appointed to finish and do justice to Belfast.

4656. CHAIRMAN.—I said something in addition to that. I said that within the time at our disposal to finish the Commission, it would be impossible to do more than we were doing, and that you were taking up our time making speeches on irrelevant subjects, and not giving us information on the question of the works, but I added that your clients, if they wished, could apply to have us directed to come down here again.

4657. Mr. BEN.—For whom does Mr. BEN appear? For a few individuals, not a Corporation, yet he has been allowed as others have been, to occupy a very considerable portion of your time, and you now say that the solicitor for the Water Commissioners, an individual holding a high position in public opinion, and substantially appearing here, too, for the great Orange party in Belfast—appearing for a body not represented in the Corporation, yet who are on the contrary excluded. I am told that I represent no one, or that I represent just myself, and the case I put forward is to be limited, it is to be disposed of summarily. I was told by Judge Barry, as well as by Judge Kough, that there was no one man who could, as an advocate, surpass what I did in defending a prisoner without counsel. I say this that this proceeding should go no further to-day. In place of going off by the half-past two o'clock train, you can go to your hotel and pack up your luggage, and make your arrangements in order to be able to go up by the half-past one o'clock train, and be in time for dinner; and if you do that we will be all good friends. We will not object to your going up, we will be delighted, and in the meantime before you return again we will have two great meetings—one Orange, and the other Catholic—I will keep them separate, for I would not mix them. You will come down in a week or ten days. There is a Catholic amongst the fifteen Water Commissioners, and when you come back he will be able to tell you that he was put into the Corporation by the generous action of the Orangemen of Smithfield. You will be astonished to find that there is no almost unanimous feeling in the town of Belfast in favour of a mixed government, and that the parties are all anxious to have a representation of all sects, and a general wish for the abandonment of all sectarian prejudices of the parties in the Town Council managed by Mr. Black, and this would help the majority in other places, and tend, as it is tending to put an end to those heart-burnings which now exist, and have existed, for so long in Belfast. You may think that I am not speaking on behalf of the Catholics and Protestants, but I will produce a hundred witnesses to prove that I am. The opposition to me is that I am an enemy of the Town Council. After an illegal proclamation was issued by the Mayor, which I defied, what was the result? Well, the Protestant and Popish population assembled 40,000 strong at York-street, and carried me to the Albert Memorial. The police told me they never saw such a demonstration. All this great demonstration was in favour of this humble individual because he was the poor man's friend. There is at present a secret arrangement that these works should be handed over to Liberals, and that dangerous Catholics should be kept out, and Orangemen excluded from the Municipal body. Now last night I wrote to Mr. McQuinn, the Grand Master of the Orangemen, and asked him to come here and support the evidence he gave in London, where he appeared and gave evidence in favour of an extension of a very extraordinary character. Sir Michael Hicks Beach was present, and so was I, watching the proceedings on the part of the Water Commissioners, and after giving vent to the

worst democratic views, similar to those held by Lord Beaconsfield, he said he was Grand Master, and also a member of the committee, by whom Ewart and Gray were returned for Belfast. If I brought up witnesses to prove what they must prove if they tell the truth—if those witnesses prove reluctantly as they must—that they would not have a chance of being returned if they were ten times the Orangemen they are, and that no fond *foie* Orangemen has a chance of being returned to the town council, I think it will be very important. You will take all these matters into your consideration, and you will consider whether this case is to be prevented by five unmanageable words, or by fifteen, the number possible number I hold that my trifling case recommends, and a member certain to be approved of and noticed in Parliament. I feel perfectly satisfied that the Commissioners will agree to the proposition for fifteen words, as sure as I am that this is the purport of Phil. Johnston, once Mayor of Belfast. But you cannot understand the case till you hear it. Even assuming that at present your views are not altogether the same as mine on this point, I am perfectly satisfied that I will bring you round to my opinion before we have done. I stand on my right, to go no further. You must come back again—you must, when your warrant is, as it must be, extended, hold the inquiry yourself, you must get assistance, and two days' proceedings are of no great account. I have no objection to your rising at one or half-past one o'clock. If I were to do anything to annoy you I would not be solicitor for the Water Commissioners for a week, for I may tell you they gave me directions to be most deferential to the tribunal, and whatever course you think fit to adopt, we will endeavour to get our proposition carried out hereafter.

4658. CHAIRMAN.—The only reason I said anything about three o'clock was, that I heard gentlemen saying that Saturday was a half-holiday here, and I saw as reason why the inquiry should not be finished by that time. I am prepared to sit till five or six o'clock if necessary.

4659. Mr. BEN.—Well you will be down here again as a matter of course. What I will do now is to set on record evidence for the impeachment of this proceeding. That is all I will do.

4660. CHAIRMAN.—Do I understand you to convey that you decline to say what is required by the Board of Water Commissioners?

Mr. BEN.—Mr. Andrews has produced only one witness on this point. Surely he will produce the Mayor or some of the leading aldermen, or the chairman of this wretched committee, who is behind your chair, and when Mr. Andrews closes his case I will open mine, but I ought not to be interrupted as to what course I will adopt. It will depend entirely upon circumstances. Mr. Black is the party under examination.

4661. CHAIRMAN.—We will take care there shall be no misunderstanding. We will get as far as possible the opinions of bodies or individuals as to how many words there should be, and then we will not resort to us last. You seem to forget the fact that what we are to do under our warrant is to inquire and report. It is not like the last Commission, in which we opened up a cross-examination with reference to the conduct of the Corporation. In this case our purpose is to obtain information. Now, as to the views of the Water Commissioners, I take it they can be expressed by their secretary or chairman, and I now ask you is it your intention to examine those or any one else. As I have more than once endeavoured to impress upon you, the purpose which we have, is to receive information from whosoever chooses to give it, and in that way to see what are the views of those representing the most important interests of the town. As to the map put forward here by the Corporation or their counsel, and about which you have said a good deal, that map will not influence us in the least. It is to all intents and purposes before us nothing more nor less than a proposal or suggestion to be considered by us, as I

have said over and over again, on its merits, and just as it had been put forward by you or any one else. How can the past conduct of the Corporation influence us? Suppose we thought that the Corporation of Belfast had been the most partisan Corporation that ever was, how can that influence or affect the question? How can the discussion of that question give us what we require—information as to the allocation of the wards—except in this way, that we were to suggest that the wards of Belfast should be altered in such a way as to put particular streets in particular wards, so that there should be a majority given to one particular side or the other. But I have told you over and over again that all we are to have regard to is—first, the question of extending the boundary, or of altering it in any way; and then the question of changing—increasing or curtailing—the existing wards, and now that we have finished the boundary question, we want information on the question of the wards, and not long and irrelevant speeches and discussions upon the general conduct of the Corporation or its officers. What useful result, I ask, can be gained by going into and occupying time with the discussion of the past conduct of the Corporation? Bear in mind how the last extension was brought about. Captain Gilbert went around and made a map under his own hand, and simply said, "Will you agree to my map or not?" If we had the map showing the fifteen wards proposed by the Water Commissioners, we could consider it with the others. We have already before us maps showing suggested alterations, and each is just as much deserving of full consideration as the other. We have the great advantage of having the able experience of Mr. Cotton to aid us. What his views, or those of Mr. Robinson, are, I have not the slightest conception, nor, indeed, what my own may ultimately be. I have formed no opinion save this, indeed, that from the moment I saw those five wards I felt that they were a too small a number for Belfast, but whether there should be eight, or ten, or fifteen, or twenty, or forty, I have not formed any opinion. Will some one on the part of the Water Commissioners say how they propose that the fifteen wards mentioned by Mr. Roe should be constituted?

4662. Mr. Roe.—I will insist on my right to cross-examine Mr. Black. When Mr. Andrews does his case I will then open my case for the Water Commissioners. I will now cross-examine Mr. Black.

4663. CHAIRMAN.—Let it be with reference to anything relevant to this inquiry, but do not go into matters that have nothing whatever to say to it.

4664. Mr. Roe.—No, sir. I have only half a dozen questions to ask him. (To Mr. Black.) I want to get on record some dates. Now Mr. Black, are these copies of the *Belfast Morning News* of 2nd September and 2nd of October?—I believe so.

4665. I believe that journal has the reputation of giving very impartial reports of all proceedings of public interest in Belfast and Ulster generally?—I don't know.

4666. Do you file any of the Belfast newspapers in the Town Hall?—Yes.

4667. What papers?—The *News-Letter*, *Whig*, and *Reb*.

4668. Can you, if the Commissioners require it, easily procure copies of the *Whig* and *News-Letter* of October 2nd and September 2nd?—I would expect so if the Commissioners order it.

4669. Did you observe that there were reasonably fair reports given in these newspapers of the proceedings of the Corporation at the monthly meetings of the 1st of September and 1st of October respectively?—I cannot tell, I did not read them.

4670. Have you reason to believe the reports were accurate?—I cannot say; I have no reason to doubt it.

4671. You have no reason to doubt that the *Morning News* gave a report?—No.

4672. Can you also produce the summonses served on the forty members of the Town Council, convening them to attend the meetings of the 1st of September, and 1st of October?—Yes, printed copies.

4673. Can you prove the service of those summonses by the sergeant of the mace?—I believe they were all duly delivered.

4674. Was there a report of the Law Committee read at the meeting of the 1st September?

4675. CHAIRMAN.—I will not allow the question to be answered until I know the object with which it is asked.

4676. Mr. Roe.—If you will direct me into a speech I cannot help it. I asked a proper question.

4677. CHAIRMAN.—Allow me for a moment?—No. I take upon myself the responsibility of refusing to allow the question unless you tell me why it is asked.

4678. Mr. Roe.—It is surely unusual to compel an advocate to adopt such a course on cross-examination.

4679. CHAIRMAN.—I will take it for granted if you like Mr. Roe, that Mr. Black neglected to send round the summonses, or that there was no notification given that the alteration of the boundaries was being considered. I have already explained over and over again to you our position.

4680. Mr. Roe.—Yes, but I want all this with a view to its being used for the consideration of the Corporation, the Lord Lieutenant, the House of Commons and the Government. I will ask you to take nothing for granted. I was asking a question of a very simple character, and was getting answers.

4681. CHAIRMAN.—I will ask the question. Mr. Black, was there any advertisement or any notice sent out of any special meeting, or any meeting on the question of the wards?

Mr. Black.—Yes, two.

4682. Mr. Roe.—You ask me why I put the question I did. [Mr. Roe here made a long statement not pertinent to the inquiry.]

4683. CHAIRMAN.—You are simply preventing us, as far as possible, from making any progress or getting any information. You won't give us an opportunity of hearing any evidence.

4684. Mr. Roe.—Pardon me, I have been cross-examining a witness and I have been stopped in getting any answers. Have I a right to get from Mr. Black the fact that in the report of the Law Committee, brought up on the 2nd of October, there was no reference to the municipal boundaries.

4685. CHAIRMAN.—Is that so, Mr. Black?—Yes.

4686. Mr. Roe.—Was the Law Committee called together for any purpose at all between the 1st of October and the 20th of October?—I am not aware; I know there were several meetings of the Law and Improvement Committee, who had this in charge, between August and September.

4687. CHAIRMAN.—Is the Law and Improvement Committee different from the Law Committee?—Yes.

4688. Mr. Roe.—There was no meeting of the Law Committee in October?—No.

4689. Was there any reference to the Law Committee in October about the boundaries?—No; there was a reference to the joint Committee of Law and Improvement.

4690. The joint Committee of Law and Improvement has jurisdiction over the new streets improvements?—Yes.

4691. Under a resolution of the Council?—Yes.

4692. I presume the Law and Improvement Committee consists of the whole Corporation—five sixths of them?—A good many of them.

4693. Was there, as a matter of fact, any resolution of the Corporation giving jurisdiction, in relation to the boundaries, to the Law and Improvement Committee?—There was, jointly.

4694. CHAIRMAN.—Kindly read it?—On the 2nd of August the Council adopted the report of the Law and Improvement Committee in reference to the proposed extension of the boundaries.

4695. Mr. Roe.—Not the open Council, but the Council in committee?—The Council—the open Council in August, 1873, adopted the report of the Council in committee, which was a confirmation of the report

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Oct. 21, 1878.

REMARK.  
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of the Law and Improvement Committee in reference to the extension of the boundaries, proposed by the borough surveyor, and it was resolved that the Law and Improvement Committee be directed to take the necessary steps to lay it before the Commissioners and employ counsel.

4696. Tell me, is there any reference at all to the question of re-arrangement of the wards?—No.

4697. Don't you know that at present I am examining you as to that question?—Well, I don't know—your observations are so general.

4698. Was there any resolution giving jurisdiction with reference to the wards?—No, but there is a resolution of the Council in committee confirming what had been done—

4699. Would you read what you are referring to now?—Well, the following resolution was adopted on the 4th of October, 1879, by the Law and Improvement Committee—

"The Town Clerk reported that the Boundary Commissioners had expressed an opinion that the Council should reconsider the question of a re-arrangement of the wards, and that they appeared to think the number of wards should be increased.

"Resolved—That the Mayor be requested to nominate the Council in committee for Wednesday, at two o'clock, to consider the matter, and that this Committee recommend that a scheme for the increasing of the number of wards to eight be submitted to the Commissioners, each ward to contain six members of Council."

The Council in committee on the 8th October met, and the question of a re-arrangement of the wards having been considered, it was—

\* Resolved—That, having regard to the extension of the town and its rapid increase in population and valuation, the number of wards should be increased to eight.

\* Resolved—That the Mayor, Alderman Haslett, Commissioners M'Cur, Bony, and Dixon be a Sub-committee to prepare a plan showing a re-arrangement of wards, in accordance with the foregoing resolution, and to meet on Friday, the 10th instant, at three o'clock."

The Sub-committee, so appointed, met on the 10th of October, and the following is the minute:—

"The Town Clerk read the resolution of the Council in committee of 8th instant, appointing this Committee.

\* The outline plan for a division of the borough into eight wards was considered and approved of, and it was agreed to recommend same for adoption by the Council in committee."

The Council in committee met on the 11th October, and passed a resolution:—

"That the general outline of the plan now submitted by the re-arrangement of the wards and increase of the number thereof ought to be approved of, and that the Sub-committee who had the matter in charge be requested to reconsider same, with the view of bringing the valuation of one or two of the wards more into harmony with some of the others, and that same, when so arranged, be laid before the Commissioners."

Then, by the Sub-committee, appointed on the 8th, the following was adopted on the 13th of October:—

"In pursuance of the resolution of the Council in committee the proposed re-arrangement of wards was considered, and the plan, with slight amendments to better equalise the respective valuations, was finally settled and adopted, and the Town Clerk and Surveyor were instructed to submit same for the information of the Commissioners."

4700. CHAIRMAN.—The Corporation appear, as far as we can see, strictly to have carried out what we asked them to do on the last day when we were here—that is, that they should consider in the meantime among themselves whether they would recommend an extension or a change of wards, and if so to put their suggestions on a map and lay it before us at our next meeting. That they appear to have done. They have laid a map before us for our consideration, and we will give it the best consideration we can.

4701. Mr. RES.—I think it very hard that an advocate in the middle of his cross-examination should be interrupted, and that the Court should, without argument, make up its mind on the particular point under

consideration. I was about to make it clear that the Corporation had not taken any action in the matter.

4702. CHAIRMAN.—You may cross-examine Mr. Black as long as you like, but we really must desire to hear any more speeches from you.

4703. Mr. RES.—I will cross-examine him.

4704. CHAIRMAN.—The minutes read by Mr. Black show, in my opinion, that the Corporation complied with what we asked them to do. That is all it is worth. We are to decide upon it as upon any other map or suggestion put forward. The proposal of the Corporation may not be worth the trouble it took for them to make it out. It is only one proposal, and there are others that may be considered of equal or more value.

4705. Mr. RES.—The Corporation have put nothing before you. Anything and everything read just now leads me to say that the proceedings were surreptitious or fraudulent. I want to get the summaries for the different meetings referred to.

4706. CHAIRMAN.—We won't allow that to be gone into, and refuse to go into any such question, and we won't allow you to use such language.

Mr. RES.—I want to have the names of the different members of the Corporation who were present at the Council meetings—I want the names of the sub-committee.

4707. CHAIRMAN.—We will not allow that; we have nothing to say to what the names of the sub-committee are.

4708. Mr. RES.—Won't you allow me to put in evidence the names of those present when these resolutions were passed.

4709. CHAIRMAN.—No; it has nothing to say to our inquiry. We asked the information to be furnished us in a certain shape and that has been done. The Corporation might have said "we won't tell our officers to make out maps for you." But in order to facilitate us they put the views of the Corporation on paper in the shape of a map, and we accept that now as a proposal put forward.

4710. Mr. RES.—I say in reply that these meetings falsely called meetings of the Corporation, were fraudulently and surreptitiously held for the purpose of keeping the ratepayers in the dark as to the proceedings of the Corporation.

4711. CHAIRMAN.—But Mr. RES, we have no authority to go into that question. We don't believe there is any foundation for such a charge and we'll allow you to make it.

4712. Mr. RES.—I only want the facts to be brought out.

4713. CHAIRMAN.—Well we decline to have any more facts of that kind. This map is the emanation of the Corporation put forward in consequence of the request made by us.

4714. Mr. RES.—I say that is not the map of the Corporation of Belfast, but is a connection for political purposes of Messrs. J. Haslett and Samuel Black.

4715. CHAIRMAN.—It has exactly the same weight with us as if it was put forward only by those gentlemen—it is only a proposition put by some one before us for our consideration; the map of the Belfast Water Commissioners if there be such a map will receive just the same amount of consideration, as will the proposal of any other body or individual. Mr. Cotton will consider each on its own merits. What more than that can we do? If there are a dozen maps, each one will be fairly considered by us, and all the circumstances surrounding each suggestion. Suppose the Corporation say they don't approve of this map, Mr. Haslett will still be entitled to put it forward.

4716. Mr. RES.—To properly discuss this question will take ten days.

4717. CHAIRMAN.—Certainly it will if we go on as we have been yesterday and to-day.

4718. Mr. RES.—That is by the advocate being interrupted in his cross-examination.

4719. CHAIRMAN.—The Commissioners have made a particular ruling as to a certain question of which

they are to be the judges. Let us not have any more speeches.

4720. Mr. Ross.—I say the advocate does not complain of being interrupted—He had to make long speeches in reply to the Chief Commissioners, and in explanation, the 3rd and 4th Vis., defines what seems to be adopted in summoning a meeting. This is not their map.

4721. CHAIRMAN.—I have over and over again explained that we will judge it as a map put forward by certain individuals, it matters not by whom.

4722. Mr. Ross.—The majority of the Corporation are probably here now; if they are brought into that room there, will that be a meeting of the Municipal Council.

4723. CHAIRMAN.—I am not taking it that there was a meeting.

4724. Mr. Ross.—If the judges of the Queen's Bench pass a resolution down at Kilkenny, is that an order of the Queen's Bench.

4725. CHAIRMAN.—Surely I am not saying it is. We are taking this map as we will take any map or suggestion from you.

4726. Mr. Ross.—I want to establish the proposition that whilst the Water Commissioners are in favour of fifteen wards, the Corporation have expressed no opinion officially in favour of five or anything else.

4727. CHAIRMAN.—We think they have, by this map and the resolutions read to us.

4728. Mr. Ross.—But by what means have these been brought forward—if fraud and surreptitious.

4729. CHAIRMAN.—Mr. Ross, we refuse to go into any such question as being beyond the scope of our inquiry, and will not listen to any such language.

Mr. Ross.—Very well. (To Mr. Black).—Now Mr. Black I read from that journal some very important matters. Now I want to ask you—at any of these meetings to which you have alluded—at any of the proceedings of the sub-committee was any reporter present?—No—there never is at any meeting of the committee of the Council.

4730. Was there any publication of the resolutions of the sub-committee—in the newspapers of Belfast?—I think not.

4731. Was there any notice sent to the Water Commissioners that you intended to propose an alteration of the wards which would materially affect the future election and constitution of their Corporation?—No.

4732. Do you mean to say the proposition for eight wards would not affect the Water Commissioners?—No.

4733. How could fifteen Water Commissioners be elected for eight wards?—They can continue to be elected for five wards.

4734. Do you propose that the five wards should continue for the Water Commissioners and that there be eight for the Corporation.

4735. I propose nothing. I do not propose anything for the Water Commissioners.

4736. CHAIRMAN.—The constitution of the wards may have to be suited to the present number of the Water Commissioners or the number of the Water Commissioners may have to be reorganised.

4737. Mr. Ross.—In Belfast they are extenuated for poor law, municipal, and water purposes. Each ward elects three Water Commissioners.

4738. CHAIRMAN.—We must take care of that in any proposition we make.

4739. Mr. Ross.—A serious alteration was proposed which would affect the Water Commissioners and yet no notice was sent to the Water Commissioners.

4740. CHAIRMAN.—It was not necessary, we asked the Water Commissioners to put on a map whatever they propose.

4741. Mr. Ross.—Was any notice sent to the Poor Law Guardians?

Mr. Black.—None.

4742. CHAIRMAN.—None was required. Did the Water Commissioners send any resolution to the Poor

Law Guardians or to the Town Council as to their proposition?

Mr. Ross.—The Water Commissioners made their proposition at the first meeting of the Municipal Board of Commissioners. Now Mr. Black will you state what you think should be the maximum number of municipal electors in any ward for convenient election purposes?—I think it makes little matter as far as convenience is concerned; 5,000 might be in one ward. I have nothing to do with convenience.

4743. CHAIRMAN.—In the wards I suppose you have as many polling places as are necessary?—Yes. Hitherto we have found only one necessary, but we have ample powers under the various Acts to have as many as necessary.

4744. Have any complaints ever been made to the Corporation that the number of polling places was too few?—Never.

4745. Mr. Ross.—Do you lay before the Commissioners any information at all as to the number of wards in other corporate towns?—I mentioned Dublin I think. I am not sure that I got any return myself.

4746. Could you give me the names of the sub-committee?

4747. CHAIRMAN.—We don't want the names. We are not trying the Corporation.

4748. Mr. Ross.—I am merely asking the question with the view of invalidating the proposal.

4749. CHAIRMAN.—I have already again and again explained to you our position with regard to the proposal. Now is there anybody wishes to put forward any other proposition?

Mr. Ross.—I put forward the scheme of the Water Commissioners.

4750. In favour of fifteen wards?—Yes.

4751. Have they formed any idea or plan, or do they wish to give any evidence as to the boundaries of these different wards they propose?—I was instructed to take the necessary steps to persuade you that fifteen wards should be adopted as the number.

4752. Well suppose we are of opinion that fifteen wards should be created what do you suggest as the boundary of each ward?—I have the Engineer of the Water Commissioners here and will present him for examination with the map.

4753. How many Town Councils do you propose for each ward. Do you propose to increase the number at present or to diminish them?—I would have two Town Councils, and one Alderman for each ward. The reason I propose that is this. The moment I got my instructions I wrote to the Town Clerks of Dublin, Cork, Limerick and Londonderry Corporations, and got from them important information. I made a calculation, and the result has been that the Commissioners are of opinion that unless the law for Belfast should be different from other places there ought to be fifteen wards at least here. Now in Dublin there are fifteen wards containing as follows:—The number of voters (1) in South Dock is 475; (2) in Trinity, 328; (3) in South City, 342; (4) Royal Exchange, 340; (5) Mansion House, 290; (6) Fitzwilliam, 306; (7) Wood-quay, 336; (8) Usher's-quay, 269; (9) Merchant's-quay, 240; (10) Arden-quay, 493; (11) Liff-quay, 368; (12) North City, 401; (13) Rotundo, 435; (14) Mountjoy, 438; (15) North Dock, 483. Total 5,900. Average in each ward, 393. In Cork there are seven wards the number of burgesses in each being (1) North-east, 483; (2) North-west, 385; (3) South Centre, 251; (4) North Centre, 205; (5) Centre, 208; (6) West, 356; (7) South, 357. Total 1,995. Average number in each ward 285. In Limerick there are eight wards, (1) Castle Ward, 80 burgesses; (2) Abbey, 78; (3) Irish-town, 85; (4) Courthouse, 107; (5) Market, 124; (6) Shannon, 168; (7) Glenworth, 124; (8) Dock, 168. Total 914. Average number in each ward, 114. In Londonderry there are three wards (1) East, 309; (2) North, 300; (3) South, 170. Total 914. Average number in each ward, 302. In Belfast as you are aware there are five

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wards at present. The burgesses in each being as follows:—

Wards.	1844.	1879.
No. 1, Croscro,	232	1,701
" 2, St. Anne's,	268	1,330
" 3, St. George's,	337	1,041
" 4, Dock,	177	1,505
" 5, Smithfield,	250	694
	1,304	5,761

The total number in 1844 was 1,304, and in 1879, 5,761. The average number in each ward in 1844 was 260; and in 1879 1,148. The number of burgesses in 1879 in excess of 1844 was 4,457, and that has been added without any alteration in the wards. The average number of burgesses in each ward in Dublin is 305; in Cork 285; in Limerick 115; in Londonderry 250 and Belfast 1,148. I contend that the object of the legislature probably was in 1816 not to have more than 300 burgesses in each ward, and as the town increased the wards should have been from time to time altered and modified.

4754. CHAIRMAN.—There is more importance in the information you have just given us than in all you have said up to the present. Now, if you would send us a map showing how you intend to carve out the fifteen wards, and having regard to the proposed extension, if there is any, it would greatly facilitate us in considering your proposition.

[Mr. Bea produces map showing the fifteen wards as proposed.]

4755. Mr. Bea.—What I thought was that you would decide the maximum number of burgesses in each ward, and having so decided you would ascertain how many wards there ought to be, and direct the Corporation to make out a calculation by ascertaining the number of streets and the number of voters in each street.

4756. CHAIRMAN.—There is one matter—as we are now coming to something practical—one matter not to be lost sight of. We have, you must see, a difficulty in recommending a uniform number. On what principle could we fix 400 voters as the number for each ward in Belfast, and not fix a smaller number for Dublin, Cork, Limerick, or other places having voters. The table which you have read for us is a most important and valuable one.

4757. Mr. Bea.—In answer to what you say I would mention that finding the number of burgesses in 1844, when this Belfast Corporation was first constituted, to be about the same number for the wards as that which now exists in Londonderry, Dublin, and Cork, I considered that you will come to the conclusion that something about the same number—say 300 or 400—at the very utmost should be the maximum number.

4758. CHAIRMAN.—This would materially increase our difficulties in some places, for instance in Dublin where the townships are to be taken into consideration. If we adopted the principle you suggest this state of things might arise that while the number in Dublin would be 300 or 400 in the township it would be 900 or 1,000.

4759. Mr. Bea.—I believe that if the Corporation of Belfast had been fairly dealt with they would have themselves put forward a proposition for fifteen wards, with about 400 burgesses for each. You say the statistics I have given you are most valuable and important. So they are. But is it not monstrous that this vital information is being offered to you now, and that the town clerk would not get it. If you carry out my views there will scarcely ever be a riot in Belfast and no difference between the Corporation.

4760. Do you think you could get the two sides to shake hands if an extension of the wards was carried out—I am sure of it. It is beyond the power of any small number of men to manage Croscro Ward with 1,700 voters.

4761. Do you believe there should be an extension of the borough boundaries. I think you already stated

your belief that if the Commissioners accepted the proposition of the Water Commissioners, there would be no disinclination on the part of those outside to be brought in—I believe the extension in 1853 was most beneficial, and that those who carried it out deserve great credit. I believe the extension of 1861 will be beneficial to the town and to the outside.

4762. Do you believe the added portion should be given separate representation?—I believe the new parts should be added to the wards closely adjoining them. It is idle to suppose that men in the great town of Belfast would, to the extent of our farming, attempt to do harm or injustice to those outside.

4763. Mr. Dixon.—I believe no one represents the feeling of both sides as well as you—I hold that I represent it better than any one else.

4764. Do you think that on the settlement of this question of the wards, the question of the assimilation of the parliamentary and municipal franchises should be considered?—Yes. I say there ought to be fifteen wards, so as to divide the present constituency into fifteen wards of 400 each. Now, I am of opinion that as soon as the Government proposes to make the parliamentary franchise the municipal, the ward ought to be increased to forty. No man ought to be asked to canvass more than 400 voters. No man can be got to take the trouble to do more than that.

4765. Mr. Dixon.—Independent of politics what would be your data for dividing the town into wards?—To have a convenient number so that individuals could canvass them.

4766. What number?—About 400.

4767. Would you divide the wards irrespective of property or area?—I would assume all voters are equal, and run chances about property or area. I would have the boundaries purely geographical and irrespective of anything except the number of burgesses within the boundary.

4768. Do you think the extension or alteration of the boundary ought to be brought in by the extension of the boundary ought to be considered?—I think not. I think this tribunal ought to decide it. I am dead against you on that one point.

4769. Mr. R. D. Bain.—In the absence of Mr. Overend on the part of Sir Thomas McClure, without going into the general question of the wards, I would say something as to the course that ought to be adopted as to the extension in the proposed district of Strandtown. My proposition is this. Strandtown, if you don't make it take two wards you should make it one ward, bounded by the Cornwater river. Ballincourt should be formed into a ward itself, and the York Ward should have added to it, all the adjoining property on the county Antrim side of the river Lagan (witness indicated the proposal on the map). I think it would be undesirable that Strandtown should be mixed up with any ward in the town, not under the differential system of voting, and if you adopt my suggestion the recommendation would be that a differential rate be applied to Strandtown, and it be made a separate sewerage district. If you recommend it, it would be undesirable that the outcrops of the borough of Belfast—who would think themselves aggrieved by being mixed up with a district with a differential vote—should be in a position of being antagonistic with those in the same ward, but on a different rating. The proposition put before the Corporation is this—the district on the county Antrim side would still be Dock Ward, but Dock Ward should be extended out towards the slab lands at Mount Coppinger. You have no power at the present time of arranging more than one voting place for electors, municipal or parliamentary. The result would be that the Corporation would be bound to consider the convenience of the greatest number of voters, and would be compelled to create the polling place as nearly as possible in the centre of the town. The result of course would be that those wishing to vote from the

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outlying districts would be compelled to come in two or two and a half miles.

4770. CHAIRMAN.—Are you correct in saying there can be only one polling place for municipal or parliamentary purposes?—Yes, Belfast has the largest constituency in Ireland except Cork, it is impossible to have separate polling places.

4771. Mr. Black.—Excuse me.

4772. Mr. Bates.—Even if it were possible to create separate polling places—assuming Mr. Black is right—does this large ward here (pointing to map). This proposed district is nine miles in circumference—this district of Strandtown—how would it work? It is my duty to make up the Register of Parliamentary Voters, and it is my duty to make it in alphabetical dictionary order—but if you have the polling district here (pointing to the map) how can you make it up? You cannot say all the A's will poll in one place, and all the B's or C's in Strandtown. What I say is this—wherever the polling place for the ward is it must be the polling station for all the electors—though you may have different booths. You must seek the convenience of the greatest number of voters. The result is, if you put the polling station over in the centre of Ballymacarrett, you have all the people from Kesh coming a distance of, perhaps, two miles. Even subdividing the different wards into polling districts, there comes the question which you have not power to discuss. If you recommend that these districts be brought into the borough, you would recommend that these people be made voters of the borough of Belfast. To what ward would you annex them to enable them to exercise their Parliamentary franchise—that is an important question. If you make any recommendation in reference to the boundaries of the wards, you must recommend that the added district be a ward itself, or that it be added to the ward annexing it, to either Dock or Cremack, or both. Therefore, it is perfectly open for the inhabitants of this district to come before you—to come forward and say it will be an injustice to us to recommend that our ward be annexed to this ward, because your recommendation would have the effect of giving us a borough vote, and in that case you should consider how we would be affected in the exercise of that franchise. If you were dealing with the wards as they exist I confess you would have very little difficulty, but when you have to consider not only the extension of the boundary, but also the including of that extended portion in certain wards, you must consider both the effect of that on the Parliamentary and on the municipal franchise.

4773. CHAIRMAN.—There would be some consideration as to whether they were to be brought within the Parliamentary borough or remain still in the county Antrim.

4774. Mr. Bates.—They could not have a vote for the county except as freholders, unless there was some other species in the Act.

4775. CHAIRMAN.—The same question will arise in the case of Dublin and the townships if they are brought in. We cannot say anything as to the parliamentary franchise. They might still remain voters of the county and boroughs of the city for municipal purposes.

4776. Mr. Bates.—That may be; but here you are considering the question of extension of the boundaries, and so to the disposal in wards of the parts extended or annexed. It is, I contend, within the powers of your warrant to say you recommend that this part be constituted a separate and distinct ward. I am quite certain your decision will be fairly arrived at. I am only urging upon you that we should be constituted a separate ward by ourselves, and one reason for that is the great inconvenience it would be to us as municipal voters to go and vote inside of the boundary of Belfast. It would be, as I have contended, highly inconvenient to these people if you were to make any recommendation that what I suggest. It would be inconvenient, first, because of their being municipal voters; secondly, as parliamentary voters; and, thirdly, because the district itself is of such a nature that it is altogether separated, both from the nature of its buildings and the position of its inhabitants, from Ballymacarrett. Mr. Andrews stated yesterday what, no doubt, as a general rule is correct—that outlying districts are benefited by annexation, and by the commercial prosperity of a place like Belfast. But, unfortunately, that is not the case always. It is not altogether applicable to Strandtown. I may say that, for my own convenience, fifteen wards would be satisfactory, but at the same time I am bound to say that I do not find the slightest fault with the plan of the Corporation save that it does not make us a separate ward.

4777. Mr. Black.—I just wish to say one word. Mr. Bates disputes that we have power to make different polling districts. I would refer you to the 10th section of the Municipal Elections Act, 1875, as amended and extended to Ireland by sub-section 4 of section 3 of the Municipal Elections (Ireland) Act, 1879, which gives power to the Town Council to divide any ward into polling districts, and direct the town clerk to make out the lists of burgesses as to divide the names in conformity with such polling districts. (Mr. Black read the sub-section.)

4778. Mr. Bates.—I am not now in a position to contradict Mr. Black, but I can safely say this, that for parliamentary purposes there is no such power.

The inquiry was then adjourned.

## BELFAST,—ELEVENTH DAY.—NOVEMBER 26th, 1879.

Before Mr. KERR, Q.C.

(Mr. Despard, agent for Sir Thomas McClure, M.P., asked permission before the business commenced to hand in two maps.)

4779. Mr. Despard.—One of the maps represents the roads on Sir Thomas McClure's and Mr. Cleland's properties, with a schedule annexed, and the other is a skeleton map of the borough showing the proposed extension on the county Down side, with the views of these two gentlemen with reference to annexation. Their views are simply that if the wards are fixed at ten or fifteen they would claim two wards perfectly distinct from any portion of the present borough, but if they did not amount to that number they would be satisfied with one, and returning an equal number of representatives with any other ward.

4780. Mr. J. C. White (solicitor representing the inhabitants at Malone district).—Would you kindly grant me leave to hand in a memorial from the town-

lands of Ballydownfine and Ballymurry. A memorial was handed in previously from the same district, but they were not then aware of the entire proposed extension. This memorial is from the occupiers and lessees of these two townlands, and they give special reasons why they should not be included. (See Appendix No. 15.)

4781. Mr. Bates.—You don't know anything about the matter yourself?

Mr. White.—No; just as I am instructed.

4782. Mr. Bates.—And I dare say very correctly too.

4783. Mr. KERR.—There is one matter which I wish to mention. On the last day the inquiry sat here I went over the district referred to by Mr. Despard accompanied by Mr. Young, Q.C., on behalf of Sir Thomas McClure, and by Mr. Montgomery and Mr. Millar sitting for the Corporation. We drove over

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the roads in dispute, and what Mr. Miller stated regarding them was perfectly correct. At one place the road was so bad that we had to get off the car and lift it bodily from the centre of the road, and the car had then to go a considerable distance with one wheel on the road and the other on the footpath. If we had gone down in a carriage we could not have got out of it at all. It is idle to call it a road at all in the present state. Some gentlemen met me on the spot and called our attention to the matter, I think one of the parties was a Mr. Wellwood, and he was accompanied by two or three others, whose names I forget, but they pointed out to us the state the roads were in for want of drainage, and that it was impossible to get over them. As to the idea of asking that such roads as these be taken under the care of the Corporation, it would be simply taking the money out of the pockets of the ratepayers of Belfast to do a work for the benefit of Sir Thomas McClure's property.

4784. Mr. Depard.—I am glad to have an opportunity of explaining the matter. On the map which has just been handed in there are several roads marked which were made previous to Sir Thomas McClure getting the property, in fact before it passed from the Earl Raudersley, and they were never properly made. If I remember aright, on the second day in referring to the roads, I corrected the evidence.

4785. Mr. EXHAM.—Yes, I remember you did, Mr. Depard.

4786. Mr. Depard.—There is one road at Strandtown which is not properly made, and I should have referred to the road you, Mr. Exham, have spoken of, only that I was mistaking it for another. The road at Strandtown crossed land held under a fee-farm grant made by the Earl Raudersley, and the lessee granted permission to form the road which was taken advantage of, but not exposing any very great traffic on it, it was not completed like the others. With that exception at Strandtown, and one part of another at the Knock, the remainder of the roads were thoroughly made. It is utterly foreign to my wish to give a coloured statement.

4787. Mr. EXHAM.—I am sure of that. I am only speaking of the turn which the inquiry took, that if any district were brought in, the Corporation should also take in the roads.

4788. Mr. Depard.—The terms were that the roads should be put in repair as county roads.

4789. Mr. EXHAM.—Mr. Depard must have heard the suggestion made yesterday at the Holywood inquiry, namely, that that town should extend to Sydenham, to which place Belfast should come down and meet it.

4790. Mr. Depard.—Oh, it might as well be said that that town should extend to Bangor and Newtownards, and wipe out the county altogether.

4791. Mr. Bosc.—That matter was between Sir Thomas McClure and Mr. John Anderson, &c., as representing the Commissioners.

4792. Mr. EXHAM.—Yes; it was probably some conversation between Sir Thomas and Mr. Anderson.

4793. Mr. Depard.—It was regarding the extended union district for sanitary purposes.

4794. Mr. DIMSON.—The people were not thinking of any such change.

4795. Mr. EXHAM.—Very well. As I recollect, the way in which matters stood when we adjourned the last day, was that we had proposed for the formation of eight wards on the map presented by the Corporation, and Mr. Roe came forward with a proposal for fifteen, as marked out by the Water Commissioners. The map showing their plan was then before me, is it here to-day?

Mr. DIMSON.—This is the map, and the engineer to the Water Board is here.

4796. Mr. EXHAM.—Mr. Young, C.E., said he had a proposition to make, and it was to divide the town into ten wards, and I understand that he has a map showing the division.

4797. Mr. DIMSON.—But there is another proposal by him for fifteen wards?

Mr. DIMSON.—Yes, he told me before leaving the room that he had changed his mind, and was going to make an increase from the ten.

4798. Mr. EXHAM.—I think what he said was this, that the ten was a suggestion from Mr. Harvey, Chairman of the Improvement Committee of the Town Council, who was not in favour of the eight, and who intended to come forward and give us his views. But fifteen has been thought of since the last day we sat, and this map now shows the division for that number.

4799. Mr. DIMSON.—But this is an original proposal altogether of the Water Commissioners.

4800. Mr. EXHAM.—Is there anyone who has a proposal to make for more than fifteen wards?

Mr. DIMSON.—Yes. I think one gentleman was for more.

4801. Mr. EXHAM.—We have also heard of twenty wards, all radiating from the centre of the town, but what I would like to know is, what is the extreme number proposed one way or the other?

Mr. DIMSON.—I think, sir, there is much machinery about the fifteen.

4802. Mr. EXHAM.—Is there? For the fifteen you propose one alderman and two councillors each?

Mr. DIMSON.—That was my evidence before the Select Committee.

4803. Mr. EXHAM.—In view of that what would you suggest about the going out or retiring of the members of the Council?

Mr. DIMSON.—I think that the alderman should go out with the councillors, and that there should be no difference.

4804. Mr. EXHAM.—At the end of three years?

Mr. DIMSON.—I would have them go out each year one for each ward.

4805. Mr. EXHAM.—How about the alderman?—I would, as I have said before, make no difference with them, and that system would create an activity in the interests of the Corporation, and place them on an equality so far as the electoral voice of the people was concerned.

4806. Would you make the three go out every three years together?—I am disposed to have a change every year, and at the end of three years they should all go out together. But this is a matter of detail. I also think that the person who gets the largest number of votes in any ward should be alderman of that ward, and he should go out like a common councillor, and that would create more activity in the representation.

Mr. DIMSON.—My evidence is already given before the Select Committee, and I don't wish to make any departure from it.

4807. Mr. EXHAM.—There are some gentlemen here whom I would like to ask a few questions of, regarding this matter.

4808. Mr. DIMSON.—There are some gentlemen here who are members, and who are prepared to give evidence to-day.

4809. Mr. Robert Curran (Water Commissioner).—This is the map representing our division into fifteen wards, and which has been approved of by us as a body. Our engineer, Mr. Massey, is here, and will explain all about it.

4810. Mr. EXHAM.—This map differs from all the others, as it has the valuation of each ward marked on it.

Mr. DIMSON.—Yes, and also the population and the number of voters, and if you want to make any extension, there are some of the wards arranged for those being tasked on.

4811. Mr. Collyson.—As one of the Water Commissioners, I may be permitted to say that Mr. Massey is present who formed the map, and he is prepared to give evidence in detail of all that is suggested upon it. I would, therefore, respectfully



submit that he be examined, as I am confident it will be the only practical evidence which will be put before you. The Water Commissioners have spent a great deal of time in ascertaining the correct valuation of the streets, the population of the proposed wards, and the number of voters each contains, and they are prepared through Mr. Manssey to give, as far as possible,

the correct estimate, which I submit is the only one of practical importance from outsiders. I don't know about the Town Council, but I hold this to be the only one of practical utility from parties outside. As far as I can understand the feeling of other boards, and the public generally, they are prepared to support the division into fifteen wards.

REMARK.  
Nov. 21, 1899.

Mr. LUKE LIVESIDGORTH MACARNEY, G.E., examined.

Mr. L. L.  
Macarney, G.E.

4812. Mr. ERIKAM.—You are chief engineer to the Water Board?—Yes. I labour under the difficulty, as do also the Water Commissioners, of not having the solicitor of the Board present to-day, and we have, therefore, to appear without professional representation. At the last sitting of the court a map was submitted showing the division of the borough into fifteen wards, and that on the radiation principle, which map was fully considered by the Water Commissioners, and they found it a most important arrangement, having regard to all the circumstances of the case. Since that they still adhered to the radiating principle, and have added to it other matters, such as the number of voters for, and the population of each ward, and the value of property also. Provision had also been made for the probable tendency to increase in the number of voters, and also of valuation in some out-districts of the town. The Water Commissioners appointed a committee, who sat from time to time, and with the assistance of their officers they gave the matter a considerable amount of attention. The map now on the table represents in a clear way the results of their labours. Each line has been considered carefully. Having regard to the number of voters, the population, valuation of property, and a tendency to increase, special regard could not be given to any one of these points, and the result has been a compromise. They thought of an equal number of voters in each ward, but this could not be carried out. On the Ballynacorney side there are two wards, which though large in area had only 300 voters in each, but the probability is that in the next few years there will be an increase, and the wards will thus balance themselves. The same applies to other outlying wards.

4813. Would you give me the benefit of your opinion whether building is likely to increase in the districts which you have marked out as those to be afterwards brought in?—Yes; building is likely to go on rapidly in the districts pointed out on the map, but two of the districts to which you have referred are within the present boundary. This map does not show any proposed increase in the direction of Strandtown or the Knock.

4814. Mr. ANDREWS.—Does it show an increase anywhere?—No, it only shows the existing boundary.

4815. Mr. ERIKAM.—Have the Water Commissioners considered the matter at all with reference to the proposed extension?—I may say they have considered it, but without expressing any opinion upon the subject. Having regard to the possibility of an increase, and if the thing should take place, they have considered that the scheme of fifteen wards meets the case. Their idea about the wards in Ballynacorney is, that if an increment should be put to the number of voters, they are capable of extension before reaching the average.

4816. Have the Water Commissioners agreed to add the extended districts to the adjoining ward?—Well, they have avoided an expression of opinion as to the desirability of an extension of the borough. They have given detailed information in this map regarding the streets and the lines separating the proposed wards, which they have authorised me to hand to you. The matter is very voluminous.

4817. Have you a table of the number of voters in

and the valuation of, each of the fifteen wards you propose to constitute?—Yes; the table is as follows:—

Number of ward.	Voters.	Valuation.			No. of Freeholders (valued above £5).
		£	s.	d.	
1	415	21,984	10	0	334
2	405	40,678	0	0	785
3	408	33,890	0	0	774
4	443	36,779	0	0	833
5	315	28,432	0	0	818
6	440	56,377	0	0	931
7	447	22,524	0	0	865
8	312	27,246	0	0	604
9	333	23,555	0	0	548
10	300	43,462	0	0	580
11	375	35,464	0	0	726
12	363	34,798	0	0	769
13	450	38,730	0	0	872
14	526	22,732	0	0	440
15	599	16,356	0	0	459
	5,700	529,873	10	0	11,025

That makes a total of 5,700 voters. I may say this is not accurate within a small margin of, perhaps, thirty or forty voters. The total Government valuation is £529,873 10s., not including lands.

4818. Mr. ERIKAM.—Would you think it right to give No. 5 the same number of representatives as No. 6?—You mean the same number of representatives in the Town Council?

4819. Would the voters in No. 5 Ward have the same amount of representation in the Town Council as the voters in No. 6—the property on one being valued at £28,432, and in the other at £56,377?—The difference in the number of voters is not much—516 and 640.

4820. But the valuation is nearly double?—It is almost double, but the view you took in Cork and Limerick would hardly be applicable to Belfast, owing to Belfast being a large manufacturing town. The large manufacturing concerns run up the value of property immensely, and there may not be a corresponding increase in the number of voters.

4821. Take the four wards closely together Nos. 1, 3, 4, and 5, and then look at No. 6. No. 1 when compared with No. 5 has nearly the same number of voters (there is only a difference of two), but the difference in the valuation is great, namely, £61,000 against £23,000. If it is a principle that you are to have regard to the number of voters and the valuation, it would not be fair to put these two wards on a parity?—You must not attach too much importance to valuation. This proposal of the Water Commissioners is a sort of compromise. You must have regard to all the circumstances of the case. Without making a compromise of this sort it would be impossible to draw the wards at all.

4822. In these city wards there is not room for increasing the valuation, for there is not apparently very much space for building, such as there would be in Wards 14 and 15?—The same observation applies to a number of other wards with small valuations; they have all a tendency to increase.

4823. Some outlying wards have, of course, more unbuild-upon ground, and, therefore, the valuation may run up; but in Nos. 1, 3, 4, 5, and 6, could there not be some other division which would bring them nearer to the same level. In Nos. 1 and 5 the number of voters is the same, and the valuation is

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Mr. L. L.  
Macanay, Esq.

should be—But No. 1 is the centre of the town, and it naturally has a much larger valuation in excess of the number of voters.

4824. Then look at Nos. 2 and 31—There the valuations are in excess as they could be further out you find the voters in excess and the valuation low, and these are the wards in which the increase is likely to take place. If we aimed at a balance of representation in these wards, the result would be we would have a great discrepancy in the voters.

4825. Why not put Nos. 3, 4, and 5 into two wards instead of three?—No. 1 and No. 6 make up £111,000 between them, and these other three only make up £100,000.

4826. So that you give nine representatives to the three, and six to the other two. Would it not be right if the property is more valuable that they should have some equal voice in the Council?—Yes, if you make the representation dependent on property.

4827. No; but take both valuation and numbers. Nos. 1 and 6 have 553 voters, and their valuation is £118,000; in the other three you have 3,350 voters, and the valuation is £102,000, would it not be fairer to leave Nos. 1 and 6 standing by themselves, and then divide Nos. 3, 4, and 5 into two wards, and not into three, because then you would come much nearer as to numbers and valuation?—That is merely so on the face of it. If you actually tried it on the map you would find a great discrepancy in the number of voters. That is a matter I investigated. The nearest a single line was drawn to the next street it made a great disparity in the valuation, but it would equalize the number of voters. You would sacrifice the number of voters in favour of valuation.

4828. To a certain extent you must have regard to both?—That is what the Water Commissioners have done, and they put this forward as a compromise to meet all the circumstances of the case, knowing it is impossible to meet both ends.

4829. Why should No. 15 get three Town Councillors? Why not give it two, and give No. 1 four?—As I don't understand much about municipal arrangements of that kind I would rather you should leave it to Mr. Colligan who is more up on the subject than I am. The Water Commissioners have had regard to the tendency to increase both in Nos. 14 and 15, the valuation is low, and the number of voters low, but that is righting itself every year. If we made a perfect average now things would be getting worse every year instead of better. We are arranging for the future.

4830. You must take it with the evidence given that although there is building-ground people don't like these places, and they go out towards Sydenham and Sinsodown?—That is so far high class villas, but there is a tendency to increase the moderate-sized houses in Ballymacarrett. There were strong reasons why building was not so good there as it is now, and these reasons are being removed. No. 1 must be higher in valuation, for it is a city ward with high class property. As to the number of voters, the valuation, and the geographical arrangements of the town, I think the scheme proposed by the Water Commissioners will meet all the circumstances of the case, and there are fewer objections made to it than to the other schemes brought before.

4831. Do you see on a map put in by Mr. Young, a proposed ward No. 10?—Yes.

4832. Does that differ very much from yours?—I could really form no opinion; there is nothing to show the number of voters and the valuation, and these are two leading elements in forming an opinion.

4833. Mr. Dinan.—After hearing the explanation Mr. Macanay has given, I think we are all inclined to adopt his plan.

4834. Mr. Andrews, G.C.—Who are you all? Mr. Dinan.—Every public body represented here except perhaps the Corporation.

4835. Mr. Macanay.—The Water Commissioners left the question of the extension of the boundaries quite open, and they said if you do extend the boundary

at the county Down side you can add it on to Nos. 15 and 16, and in that way in the course of a few years if the town increases what may be supposed objections to this arrangement will remove themselves. In all these questions you must have regard to the town whether it is stationary or going ahead.

4836. Mr. Kinney.—Are the Water Commissioners elected from the same wards as the Corporation?—That is so; three Water Commissioners for each, that is 15. One difficulty Mr. Ros would have if you carried out the Corporation proposal is, you would necessitate a surgical operation on some of our members, but if you adopt the scheme proposed by the Water Commissioners you would then have a Water Commissioner from each ward.

4837. Would it be possible for the different bodies to meet and agree upon the boundaries to be adopted?

4838. Mr. John Sugden.—I speak as a Water Commissioner; what you propose was suggested, but it was rejected by the committee of the Corporation, and I refer you to the resolution I proposed in the Town Council on the subject.

4839. Would you let us have that resolution?

Mr. Dinan.—Certainly, on the 5th November the committee met. (Reads).—

"Moved by Councillor Sugden that the further consideration of the plan for the re-arrangement of wards be adjourned until Monday the 10th instant, at twelve o'clock, and that in the meantime the plans be hung up in the committee-room for the inspection of members."

Accordingly that having been passed the committee met again on the 10th, when it was moved by Councillor Sugden, seconded by Councillor Hervey.—

"That as the Chairman of the Boundaries Commission at the adjournment on the 26th November, suggested a conference should be had with the various parties making propositions, therefore that this committee at its rising, do adjourn until ten o'clock on Wednesday next, and that in the meantime the Town Clerk do write to all the parties who made propositions, requesting them to attend at Wednesday, to confer as to the subject of the re-arrangement of wards."

An amendment was moved to that—

"The borough surveyor having placed on the table a map which he informed the committee had been copied from the Water Commissioners' map, shewing a division of the town into fifteen wards;" moved by Councillor Thompson, seconded by Councillor Hervey.—That the committee adhere to their views of a division into eight wards only, as shown on the map prepared by the borough surveyor. Amendment carried by six to five."

Then there was another resolution moved by Councillor Hervey, and seconded by Councillor Kelly:—

"That in the opinion of this joint committee the borough should be divided into ten wards, having four councillors and one alderman for each ward, the boundaries being so arranged as to make the population and valuation as nearly as possible equal. Lost four for, and eight against. The amendment of Councillor Thompson was then put as a substantive motion and carried."

4840. Mr. Sugden.—That resolution was grounded on the recommendation made by you as chairman of this Commission. If the Poor Law Board, the Water Commissioners, Mr. Young representing parties here, and Mr. Dinan had met together, the result might have been some plan to be suggested now. I think it was the proper course to adopt, because any suggestion thrown out by the judge of the court in due respect to him should be attended to, and particularly as you adjourned the court for our convenience. That suggestion was rejected by the body that now puts forward a proposal before you, some are for ten, some for fifteen wards, some for twenty.

4841. Mr. Kinney.—The majority of the committee of the Town Council are for eight.

Mr. Sugden.—There is no doubt about that, and I would suggest that you should give another opportunity as you have made the suggestion a second time.

4842. Mr. Andrews, &c.—There is not the slightest disposition to pay the slightest disrespect to any suggestion the Chairman makes, but the parties have each utterly divergent views that it would be perfectly hopeless to attempt to reconcile them; two more opposite and divergent plans could not be presented than the plan of Mr. Manserv and the plan of the Town Council. The plan suggested by the Council is not put forward as a dogmatic thing to bind you. They consider it the best plan they can submit for your consideration, and they abide by it, leaving you to judge of it. If between these two plans they cannot come to a settlement it is not a fault on either side.

4843. Mr. EXHAM.—We have nothing to help us between the two plans if we come to the conclusion of adopting something between the two.

4844. Mr. SIGHER.—There is no difficulty if you direct the Town Clerk to get this valuation put upon another map, it could be done by his staff. All you would then have to do is to give the boundaries, and it is every filling up the valuations or any other information you require. The Commissioners representing the ratepayers have the votes at their disposal to do whatever is necessary in the matter.

4845. Mr. EXHAM.—If the number of Water Commissioners is to remain at fifteen, we must either have fifteen or five wards.

4846. Mr. Andrews, &c.—There is no difficulty in having an additional Water Commissioner.

4847. Mr. James COLLIGAN.—The Water Commissioners are selected from the same wards, and the boundaries are common to them, and the last Act says, that if there is to be an extension of the boundaries, our jurisdiction is to extend to it also. I think the Water Commissioners are sent in ignorance to the Town Council. They put a plan before you in accordance with what exists in other towns, you observed before that you did not see why Belfast had five wards, and Dublin fifteen. We have more municipal voters than Dublin, and a larger area. In the statistics we have given, we have regard to extensions in the outlying wards which are increasing every day, and I think the Water Commissioners have put the best and most practical plan they could before you for the increasing wards. Every man who knows the circumstances must agree that there must be a change in the wards. What is that change to be?

4848. Mr. EXHAM.—That an alteration is necessary in the wards no one denies.

4849. Mr. COLLIGAN.—I don't see why the number of voters in each ward should be double what they are in any other town. I think the object of the legislature is to give representation to the people, and more particularly to people than to property. I think that is the object of the Irish Municipal Acts. In this scheme of ours regard is had to both voters and property. In a very few years these outlying wards which seem to be lost in voters and valuations, will have increased to what the inner wards are at present.

4850. Mr. EXHAM.—I have a map showing the five wards now existing. Into what number do you propose to divide Queen's ward?

Mr. COLLIGAN.—The proposal to have fifteen wards altogether has the approval of nine tenths of the people of Belfast. We have the Water Commissioners representing it, the Poor Law Board, represented by Mr. Ward; the Harbour Commissioners say nothing about it, but I think they are in favour of it. Outside the public bodies I think we have all the respectable or responsible parties, we have men of all creeds and classes in the town. Since Dublin, which is the leading town, has fifteen wards, we cannot set upon a better precedent. When you set here six weeks ago, the Town Council put in a plan for six

wards, then they proposed eight, a strong minority were for ten wards and even more; so you will observe it is not an unanimous proposition of the Town Council, but the proposition of the Water Commissioners is unanimous. Taking these things into account, and seeing that the other public bodies are unanimous with regard to fifteen, I think you should adopt the proposal we make. The Commissioners have been sent down here to allay a great deal of bitterness and vexation, that has been rampant in Belfast for some time, and so all parties are unanimous about fifteen, I hope you will consider it your duty to re-assume it. That would give as a number equal to that existing in Dublin, Cork, and Derry. We give you every information required to form an opinion, but the Town Council have given you none whatever, although they propose eight wards.

4851. Mr. EXHAM.—You must exclude Sir Thomas McClure, who says "Don't bring me into any ward, but give me a separate representation."

Mr. COLLIGAN.—That is outside the boundary at present, and we are dealing with the existing wards, and we give them an opportunity of being added to the wards which exist inside them.

4852. Mr. EXHAM.—But they ask for a separate representation and a separate ward?

Mr. COLLIGAN.—There is no comparison between Dublin and Belfast in this matter, it is most natural that townships having representation of their own, should wish, if annexed to a city like Dublin, to still have that separate representation; but if you bring these people into the wards now existing you will do justice to them, but if you give them separate representation you will be doing an injustice to the other wards.

4853. Do you think the portions of Belfast not lighted and watched at present should get the same representation as the main portions of the city?—I have not considered that subject, but if that was taken into account it would be another argument why they should not get this separate representation.

4854. A large portion of the fifteen wards consists of districts not lighted and watched, would you give them the same representation as the heart of the city?—They would not at present have, but as they become built up they would have, for the plan provides for increase of the outlying districts for ten, fifteen, or perhaps twenty years hence. With the exception of four or five wards in the centre they all go on the radiating principle. It would be a very difficult thing to make a better plan, having regard to the boundaries of streets and the trouble in getting the valuations.

4855. How can I say the citizens are in favour of your proposition when the Corporation who represent them are more than two to one against it?—You will observe that the Corporation never adopted this scheme publicly, they did this in a committee of twelve out of forty members who form the Corporation; one third dissent from these proposals, and does any man mean to tell me that that is a representation of the town, when only twelve stand out of forty? There is an amount of secrecy about the matter, and one care was taken that the inhabitants outside had no opportunity of raising their voice or making a representation to the Town Council.

4856. Mr. Andrews, &c.—It is right to say that since you were here before that map was hung up in the Town Clerk's office, accessible to everybody. There was an election since, and there was no change except one who was considered an eligible gentleman.

4857. Mr. COLLIGAN.—That gentleman is a Water Commissioner, and if there is a change at all in the Town Council it is in favour of the Water Commissioners.

Mr. THOMAS GAFFIKIN examined.

RECAP.  
Nov. 16, 1878.  
Mr. Thomas  
Gaffikin.

4858. Mr. ENHAM.—You have been a long time in the Town Council, and are an old citizen?—I have been a councillor, a poor law guardian, and a water commissioner for about twenty years.

4859. Do you wish to give us your views about the extension proposed by the Corporation?—My idea would be that the Council should not take in at present the districts laid down on the map, but that they should be in the position that whenever there is an increase of buildings, or a dense population within the district they have laid down, they could take it under their control; not to take it in at present, but to manage if possible to have the control of the laying out of the streets; that where there was a dense population and they wished to be brought in, the Corporation would be in a position or have power to take them in both for sanitary purposes and other improvements.

4860. Does your observation apply to every portion of the district that the Corporation now propose to bring in?—Every portion outside the present boundary.

4861. Then you would take in *Stansdona* to be consistent?—That is like the other portions, and I would say should be the first brought in, but besides that in any other districts which are agricultural land to a great extent, they should not have any control until some place crops up where there are a number of houses erected.

4862. But if you wait until the district is formed then you can get no control over the laying-out of the streets or the construction of proper drainage, and what would be the use in bringing it in then?—I think in some instances it would be a grievance to extend the boundary with respect to valuation and property. I can give you an instance of my own. Twenty-five years ago I remember going to take a piece of ground for building opposite the Queen's College, the rent asked was more than in twelve or fifteen months afterwards. I would have got it for 12s. a foot, but when the boundary was extended I got it for 2s. less, because the improvement was that I would be at more expense coming under the jurisdiction of the Corporation. It depreciated the value of the property to that extent, but at the same time the property increased from that time in value. Immediately on the change it depreciates the property.

4863. Suppose the district was extended and that ground was laid out for building, would you be in favour of exempting that property from taxation for a certain number of years, as in some English towns?—If they were exempt any for ten years I think it would give very great satisfaction. At the same time where the Council would take the control of the laying-out of the building or sewerage or anything of that sort taxes should be imposed.

4864. The object is to capture before the ground is built upon. You know that in 1865 the boundaries were extended, and the Commissioner then said the great object was to get ahead of the building, and if that proved as valuable a change why not have those districts introduced now, even if they were not taxed for some years?—If you confine it to taxes which would be only a little more than the county cess, I think that would meet the view of every one.

4865. That is in effect the proposal of the Corporation for the present?—If it doesn't succeed what they say at present they should be well satisfied, for they would be taken care of in a different way to what some of them are at present. There is no doubt the Corporation have a great deal to do within the present boundary, but it is best to look before us, and if the town continues to improve and increase to the same extent as it has done in my time I think the extension will all be required.

4866. Then do you think it would be well to have present supervision for the sake of the whole city?—The great difficulty when I was chairman of the Improvement Committee was that parties who built over

in the present boundary, twenty-five or twenty-six years ago, erected their houses and sewers in such a way that it has cost us a great deal to put them into order. With respect to the alteration in the wards I did not agree in the Council to the eight wards, nor to the fifteen, for I had an idea of my own as to the division and the number of the wards. First, ten was what I was working at, and no later than yesterday I spent a considerable time examining the map and seeing what would be workable and most convenient for the Corporation. My opinion is there should be twelve wards, and if there are three councillors for each, that would make thirty-six, and twelve aldermen would make up the forty-eight. The rotation would fall in as at present, twelve would retire in every year and the number would be obtained in three years. I would retire three aldermen each year, which would take four years to exhaust the number. I am confident that twelve wards could be managed as satisfactorily as fifteen. The twelve appears to work well in every shape. If five wards were considered sufficient with forty councillors, twenty-five or thirty years ago, we should have twelve wards now, but I would not increase the number of the Corporation in proportion to that, for if we are to have too many councillors it is perhaps the reverse of wisdom. Twelve would be a nice number for the Corporation and would meet all the requirements. Let the centre be from High-street and it would work in beautifully, giving a fair proportion of valuation and votes. I heard it said we should have thirty or forty wards, because we are likely to have the Parliamentary franchise, but how could they be carried. I think the less carrying we have the better. I think political and party feeling would be better in the town if we had less carrying. If we should have the Parliamentary franchise then twelve would even work well.

4867. Do you think there should be a re-valuation of *Holford*?—Certainly.

4868. Is it valued too low at present?—There are some districts too low, for instance, High-street, Castle-street, and *Dangall-place*; the valuation is quite ridiculous compared with the rents they pay.

4869. So low?—Yes, while other places that have been valued recently out in the new district are very fair.

4870. Is it not equally valued?—It is not. Inside the boundary there is no doubt at all a great change is required.

4871. How would the alteration to twelve wards affect the Poor Law Board?—It would work beautifully.

4872. Mr. BRUCE.—As I understand you have formed no plan as to the boundaries of these twelve wards?—No, I have no map or plan.

4873. So that the only thing is you prefer twelve to eight?—Yes.

4874. Suppose you had forty-eight councillors returned by eight wards instead of forty-eight by twelve, can you point out any specific advantages in the twelve over the eight?—I think twelve would divide the representation better.

4875. How?—Because the composition of the eight wards doesn't divide it as well. I think it would divide the representation better.

4876. Mr. ENHAM.—You are not satisfied with five yourselves, and you propose to increase the number to eight?

4877. Mr. BRUCE.—The Corporation proposed to leave the wards as they were, and to add one ward for the district brought in, but in deference to the observation made by you, they thought that eight would meet the case, adhering to the principle laid down by Captain Gilbert in 1853.

4878. Mr. ENHAM.—Suppose any new district is brought in what would you say with regard to the voters in that district? Would you form what you call a semi-rural district and give them a ward to

themselves, or attach them to an existing ward?—I would attach them to an existing ward.

4878. Mr. COLLIGAN.—With regard to Mr. Gaffikin's loose statement, I could take and draw fifty lines, but it is like Mr. Young's plan, it seems very admissible, but it is no manner of use. It is something the Commissioners can work upon, but I apprehend you will form your opinion upon it. He was for ten first, and yesterday he thought of twelve. The Water Commissioners held a special meeting to-day, and they adopted this plan, and attached their seal to it; and Mr. Gaffikin was at that meeting, and he raised no objection. I find the statement that it was passed unanimously, although Mr. Gaffikin was present.

4880. Mr. GAGGAG.—Mr. COLLIGAN was not present, and I leave it to the Chairman to say whether I objected or not.

Mr. COLLIGAN.—You may leave before the meeting commenced, but I was there when the resolution was proposed and passed. I observe that Mr. Gaffikin was present at a meeting of the Board of Guardians when they adopted fifteen wards. I object to the Commissioners coming to the conclusion that he represents the Water Commissioners or the Poor Law Guardians on this occasion.

4881. Mr. GAGGAG.—With respect to the Poor Law Board you are well acquainted with Mr. RAE. I was engaged in filling up some cheques, when Mr. RAE drew out that resolution, and there was no doubt there was not a single dissentient to it, and if there had been he would have kept up the discussion for some time.

MR. CONSTANCE O'NEILL examined.

MR. C. O'NEILL

4887. Mr. EHRAM.—What is your view about extension 1?—I appear as a citizen and ratepayer and large house proprietor.

4888. Do you wish to express any opinion as to the proposed extension of the boundary, or have you considered the question at all?—It is a very delicate subject, and I would rather decline answering unless you insist on me.

4889. What is your opinion about the wards?—The general feeling outside is that justice will never be done to all religious denominations except the wards are increased to the number of fifteen. That is the fixed number in the minds of the outside public.

4890. How do you say there is any religious question in it?—There are 70,000 Catholics in Belfast. They have no representation at the board whatever. They have to pay their quota of taxes to the borough, and they have this anomaly to put up with—that they have taxation without the slightest representation.

4891. How is that? Are they overborne in the wards by persons of the opposite religion?—I think it is by the Conservative committee who manage to nominate, and whenever they nominate goes in. I saw a very close contested election between a Presbyterian who was thought to be a Liberal, and he was left in a minority of twenty-eight; it was because he was thought to be a Liberal he would not be elected at all.

4892. How would the increase of the wards rectify that, unless you were first to ascertain what the character of the ratepayers of the district is, and then cut out wards so as to meet that state of things?—No; my idea is first to bring the number of wards up to fifteen, and if the present boundary be extended, then in proportion let the fifteen wards be extended as far as the extension would go.

4893. Then your principle would be the same as Mr. Gaffikin's, except that you would go in for fifteen wards?—Twelve would not be sufficient, and even fifteen would not represent the Catholic population of Belfast, but it would give men of all religious opinions an opportunity of representing them, and I believe

4882. Mr. EHRAM.—Having heard the views of Mr. Gaffikin what would you say Mr. COLLIGAN.

Mr. COLLIGAN.—I can tell just as much about his plan as he can himself. He does not know how many voters would be in it, and it is only after the exertions of a number of collectors for weeks upon it that any reliable evidence can be given with regard to it. Anonymous men go and draw lines on a map, but they are no use.

4883. You say that the ratepayers are all perfectly satisfied with the fifteen wards, how are we to know that if they do not come forward?

Mr. COLLIGAN.—I fail to find that the Corporation ever did anything in this matter. It has been before small committees of the Corporation, but I maintain that that is not the Corporation, consequently the Corporation have put forward nothing; there are no figures on their map.

4884. Mr. GAGGAG.—Twelve wards could just be apportioned with respect to property and voters, as well as fifteen or any other number.

4885. Mr. COLLIGAN.—Great pains have been taken to make out the plan of the Commissioners.

4886. Mr. EHRAM.—We may take it finally that there are the following schemes before us:—The Water Commissioners' scheme for fifteen, Mr. Gaffikin's for twelve, Mr. Young's ten, the Corporation eight, and Sir Thomas McClure's to have Stannistown kept separate altogether.

that nothing but the minority principle would give the Catholics representation at all.

4894. How would fifteen wards, infusing from a common centre, effect that?—It would give a better opportunity. The wards would be easily canvassed, and it would give a fair opportunity of representation. It is very hard for a man to be taxed to an enormous extent, and have no more to say to the expending of it than the man in the moon.

4895. It merely becomes a question which religious body has the majority in the town?—I don't wish to have religious ascendancy at all, except equal rights.

4896. Would it be altered by the extension of the wards?—It would, if the minority system of voting was adopted.

4897. But unless the minority system went with the extension?—It might come in due course. There is one board in Belfast that the ratepayers have more confidence in, and that is the Water Board, and they really believe, and I do in my conscience, that the only true and real map that represents the majority of the population of Belfast, of both parties, is the one the Water Board have prepared.

4898. Are not the Water Commissioners elected by the same electors?

Mr. EHRAM.—No; the Commissioners disqualify half of the ratepayers.

4899. Mr. COLLIGAN.—I deny that the Commissioners disqualify anybody. It is the Act of Parliament that disqualifies.

4900. Mr. EHRAM.—Partners in business are disqualified.

4901. Mr. COLLIGAN.—We have 641 voters in the Smithfield Ward.

4902. Mr. EHRAM.—Why don't the electors elect representatives to the Council in whom they have confidence if the constituency is the same?—They go in for these fifteen wards on the ground that independent men of all parties will have a better chance of controlling these wards. The great point is that for these public boards the nominations take place under the protection of a certain society, and independent men

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JAN. 26, 1895.

HAVE NO MEANS at their disposal of contesting the wards, but if the wards were divided it would enable independent men to come forward.

4903. What do you consider a fair number for each ward?

Mr. Callaghan.—The majority of the numbers that we put forward are in excess of that in any other wards in Ireland at present.

4904. CHAIRMAN.—No; some of them go down as low as 220.

Mr. Callaghan.—These will be supplemented after a while.

Mr. G. O'Neill.

Mr. O'NEILL'S EXAMINATION CONTINUED.

4905. You are for fifteen wards radiating from a common centre?—Yes; this increase of the wards would be a mockery of justice and the feelings of the people except it was to fifteen—it would be a miscarriage of justice. Mr. Gaffikin says twelve would be enough; he agreed to fifteen twice, and although I appear as representing myself, we have the consideration of two important boards going in for this number of wards—the Poor Law Board and the Water Commissioners—representing nine-tenths of the people of the borough.

4906. How would the fifteen wards remedy the state of things you mention?—By radiating from a common centre I believe it would give a fair representation.

4907. Fairer than by taking the Water Commis-

sioners' plan?—I would prefer taking the radiating from a common centre.

4908. Mr. Callaghan to Mr. O'Neill.—With regard to the fifteen wards giving representation to the Catholics, would that division give the representation they should have?—Without seriously voting it would not give much representation to the Catholics.

4909. Is not it a fact that you go in for this division on the ground that it would give a better opportunity to men of all parties and creeds?—I believe unless the wards are divided in this way that representation will never be given.

4910. Is it your opinion that the precedent of fifteen in Dublin, with a less number of voters, should be followed here?—Certainly.

4911. Mr. ECKHAM.—Is it your opinion that any individual should be at liberty at any election to contest the whole fifteen wards?—I believe that if the wards were increased to fifteen that men of humble means and independent mind, who have the ambition to represent a ward, would have an opportunity of doing so, but they are now excluded as much as from the Prime Ministership of England.

4912. Is it right to give a man power to go up for the whole fifteen wards?—I think it would be ridiculous. If a man wants municipal honours he should be content with one or two wards, but when he goes beyond that, it shows a want of intellect in that man if he aspires to the position of a councillor.

Mr. William Harvey.

MR. WILLIAM HARVEY CONTINUED.

4913. Mr. ECKHAM.—Do you wish to give us any view about the question of extension?—I think the proposed extension is greater than there is any occasion for. I was in favour of extension when it came before the Corporation, but not for the proposed extension, as it was greater than there was any necessity for, and I think if the Corporation got power to apply to the Local Government Board, to include places as it became necessary, it would be a very good arrangement for the town.

4914. But if you wait till the houses are built, and the necessity for bringing in the district arises, won't you have allowed the buildings to be made without supervision?—With regard to the extension out towards Malton, at present the borough boundary is considerably into the country. There are fields of large extent not occupied with houses, and the houses beyond that are houses of a better class, and the people building such houses are not likely to build them of an unsanitary class. I don't know of any house built in my district where the position of the house is objected to, and I have had a great deal of experience on the Improvement Committee. The present boundary is so considerably into the country that I think the other is most extraordinarily too far out.

4915. Have you considered the other districts?—I think the district about Sydenham should have been in the borough long since, and the borough boundary in that direction is not so far out as in any other direction I know of.

4916. What about the Portwilliam Park district?—The boundaries are out to the very verge of it.

4917. Should it be taken in?—We have not considered that, but it occurs to me there is a large portion of building ground there which is not occupied within the boundary.

4918. What is your opinion about the wards?—My views were—at the time the town was first divided into wards the population was not more than one-half, and now if we went before the public, and said, we will only extend our wards to eight, they would not be in our favour, and I think it would satisfy everyone if we made the number now ten. Having attended the meeting of the Corporation on Saturday, I went to Mr. Young, and we marked out the wards in such a way as he thought naturally they could be divided into ten wards. My proposition was, and I

pressed it on the Council in Committee, that the Corporation in any extension of the number of wards should ask for an extension to ten, having population and valuation as near as possible equal. That I brought forward on another occasion, and I was defeated on each occasion. It occurred to me that it was a natural thing as the town had more than doubled itself, that the number of wards should be ten. I had no idea of what the relative valuation of the wards was, but if I had carried my notion it would have been referred to the surveyor, and he would have made whatever calculations were necessary to make everything equitable. One of the reasons for desiring extension is that there may be a better opportunity of the Liberal party being represented in the Council. People in large towns of particular opinions are preponderant in particular parts of the town, and the smaller you make the wards the better the chance of getting representation, but I don't think any ward should be divided for the purpose of getting that.

4919. Between Mr. Gaffikin's idea of twelve, and yours of ten, what would be your opinion?—I think ten should be the extreme limit.

4920. Have you conversed with other representatives on the subject?—I have.

4921. Is it still the feeling is almost unanimous in favour of fifteen wards?—I am sure there are a great number of people of that opinion, but I have conversed with various classes of the community, and it is my impression that there are as many inclined to ten as fifteen.

4922. In your opinion would there be a majority in favour of ten?—Yes; however, I think if you do extend the borough something should be done in respect of taxation, for I don't think you should bring in people outside and ask them to pay for the debt that have accumulated.

4923. If you bring them into the town you would give them the present benefit derived from the money expended which offsets the debts of the town?—They have the benefit outside already, as far as it is a benefit. People living at a distance from the town are at far more expense thereby than would be represented by the difference for they must provide the means of getting in and out.

4924. They go out there to get good air?—And they pay for it.

Mr. MACANNEY recalled.

RECAPIT.  
Nov. 22, 1878.  
Mr. Andrews.

1925. Mr. Andrews, q.c.—You have given us in a very clear and *telegraph* form the number of voters and the valuation of each of the fifteen wards which you advocate, and which the Water Commissioners approve of. I did not gather from you how you arrived at the number of voters; I quite understand how you arrived at the valuations.—We took out the tracts above 25, and they come to 10,000. They are subject to considerable reduction which brings them down to 5,750.

1926. You struck off about fifty per cent.—About one-half.

1927. And the balance approximately represents the number of voters?—Yes.

1928. I wish, on behalf of the Corporation, to say a few words on the subject of the wards. The way in which this originated is not to be lost sight of. The ward question had not become a subject of which the public complained. You had the inquiry into whether or not it was desirable here, and in other towns in Ireland, to extend the boundaries, and that of necessity raised the question as to the propriety of increasing the number of wards. But it was in connection with that question that the ward question arose, and neither here, nor so far as I know elsewhere, has any complaint been made to the Government that the ward arrangements produced either difficulties or evils.

1929. Mr. RICHAM.—I think it was complained of before the Select Committees.

1930. Mr. Andrews, q.c.—It may have been by individuals, but I have examined to see whether there was a public representation to the Government, and I don't think it was ever one which the Government would think required the issuing of a Commission. Change for the mere sake of change I take the liberty of calling an absurdity. Change when it becomes necessary for the purpose of rectifying evils proved to exist becomes legitimate and proper, and we have to have regard to what evils are proved to exist before we come to consider the question of change, and we have to take care that the mode proposed for the rectification of the evils is not only adequate for the purpose, but does not in itself introduce evils quite equivalent to those it seeks to get rid of. When the question of extension of the boundaries came before the Corporation, and when they came to the conclusion that it was desirable for various reasons that they should have a well-regulated boundary, you came down and considered whether it was a fit and proper extension that was proposed, and also you have come to consider whether there should be an increase in the wards. The Belfast Corporation felt they were perfectly competent to discharge their business with the five wards and forty members. True, they were hard-worked, but as they were business men, and did their duty, they did not consider that too much work would fall upon them from the extension they proposed, and they say that overburdening the Council with members would not have a beneficial result. But when the Commissioners pointed their attention to the substantial increase about to be made to the boundaries, and the probable increase of inhabitants in that district, and that there would probably be a demand upon them to have those districts taken in separately represented; to meet these views and wishes they sent themselves to consider the question, and they have come to the conclusion that these views were valuable, and ought to be acted upon, and that the length to which they ought to be acted upon was to increase the number of wards to eight, regulating the number of representatives so that the eight wards would return instead of forty, as the five at present do, forty-eight; and the forty-eight they conceive to be an ample adequate number for the Town Council. In that state of things what they were bound to do was to give you the benefit of their deliberate opinion. It has been said it would

have been well if all the bodies having views had met together and had come to a unanimous conclusion. I admit it would have been, if it was possible, but having regard to what we are of it, it would be absolutely impossible to say that any amount of deliberation would ever reconcile the various views that have been put forward. You have substantially two propositions before you; for, although there are four, there is very little before you to enable you to adopt one or other of the other two. Sir Thomas McClure's suggestion, as I understood Mr. Despard, was, that so far as the present Corporation is concerned, he would not be inclined to quarrel with the present number of wards, but if there is to be extension on the county Down side it should be kept separate, so that they should have perfectly separate representation. Mr. Young, with whom Mr. Harvey has conferred, has presented a scheme which is deficient in the main element. He has prepared a map visually on which he says he has marked out something which would be suitable, and that is a division into ten wards; but neither of them has taken time to see how it would work out in view of the number of voters and the valuation—two important matters to be considered in such a division. These are matters the Water Commissioners have had regard to. They have produced a scheme which would not hold water, and which produced such an extraordinary number of results, both as to voters and the relative valuation of property, that it would not do at all; but there has got into their minds a by no means unreasoning feeling that fifteen would be a desirable number of wards, and I have been labouring very attentively to find how that was arrived at, and I think it was by this argument, that inasmuch as Dublin is the metropolis, and inasmuch as the good people of Dublin have fifteen wards, it is a poor thing if the second town in Ireland is not to have the same number. How that is an argument I utterly fail to comprehend. Will you allow me to compare what is presented to you by the Town Council and by another important body, whose views are entitled to consideration, the Water Commissioners. A very clear-headed gentleman sent here in 1853, when the wards were laid out, thought a very good principle would be to commence in the centre, and run the wards out to a certain limit; experience has proved his views to be sound, and I am glad to find a number of gentlemen coming before you in 1880, highly approving of this guiding principle. They found it has worked well; they had to consider the distribution of the wards having regard to the added districts, and the conclusion they came to after a great deal of thought and care (which can be examined into more fully if you wish), was that scheme which as far as possible had regard to those three elements which Mr. Macanney told you he had regard to—the number of voters, the valuation of property, and the extension—and which would work fairly satisfactorily to all. They conceive that if you had a district which had, say 500 voters, and only £1,000 worth of property, it would be severely fair that it should stand exactly on a par with a district that had the same number of voters, and £10,000 worth of property. Therefore when concluding as far as possible the number of voters if it became impossible to reconcile the two; rather to endeavour to have property equalised than to have mathematical identity in the number of individuals. Mr. Macanney says when he felt the difficulty was that where you try to have regard to all, you must come to grief, and the compromise he felt constrained to enter into, was one by which the valuation of property was practically ignored. You have the valuation and figures before you which show what the Corporation propose, and they have very nearly succeeded in having a substantially fair equality in the value of the property in each ward. The 7th and 8th wards were substantially lower, but there have been very excellent reasons given for that; that those wards were extended, and were rapidly increasing, and that thus would rectify

SEAFORTH.  
Nov. 25, 1895.  
Mr. Anderson.

the inequality which existed at the start. In giving the valuation of each ward, and the probable number of voters in each, they took the average value Mr. Macanvey has taken—they took the ratings above £8, and making the probable number of electors they found that the probable number of voters would be, and where there is a discrepancy in the number it is accounted for by the discrepancy that exists in the valuation. Mr. Macanvey's view is that a plan should be adopted by you, in which you would have the wards circumstanced, as two or three instances will enable us to judge of. He has given us most clearly his figures. Take two of the wards that appear early in the list; he has aimed at having something like equality of voters, but what has he got into as regards valuation. Take Nos 1 and 3. No. 1 has a valuation of £51,866, as against £33,395 in No. 3. In Nos. 5 and 6, the number of voters is not very different, but in the valuation No. 5 is £38,953, while No. 6 is £50,577. Again, Nos. 7 and 10 have valuations respectively of £32,324 and £48,863. The last I will call attention to is the valuation of Nos. 2 and 7— one is nearly the half of the other—£10,675, as against £22,524. Now, we submit to you that the scheme of dividing into wards which will leave so many as I have named half the valuation only of the others, and yet will get an equality of representation is not satisfactory, and cannot be sustained on carrying out the principle of representation which has regard to that all-important element of taxation. Therefore it does not appear that Mr. Macanvey's plan, by any means meets the exigencies of the case. He says he does not feel himself very well confident to speak as to the representation, or what the other municipal arrangements should be—he speaks as an engineer upon the valuation, the number of voters, and the geographical arrangement. I don't myself yet know what the full development of that scheme is to be—how the number of representatives is to be arranged, but I have heard nothing to lead me to believe that the ward with double the amount of property is to have only the same representation on the Council. It is said that Belfast has manifestly increased since 1853, and so we are happy to acknowledge it has, and therefore it is said the number of wards should be increased, but does that follow? It is true that when a constituency increases you should split it up, and make it instead of one large constituency, two small ones. Would not the argument rather lead you to admit the necessity of an increase in the number of representatives. Many have argued with a good deal of weight that small constituencies are not desirable, and that you will avoid raising a conflict in elements if you make the constituencies a substantial size. But we are told Belfast has increased so much we are to have a subdivision of the wards, and we are not told that that argument could not be equally met by giving them an additional number of representatives. The precedent of Dublin is cited; and gentlemen think they would wish very much to have fifteen wards here also. Let me ask the gentlemen who make that argument, has Dublin with fifteen wards succeeded in securing a governing body that gives more satisfaction than Belfast with five? I assert that the municipal government of Belfast is good. I don't wish to draw comparisons, but I think it contrasts favourably with Dublin. Fifteen wards exist in Dublin, and only five in Belfast; might I not say the argument was rather diminished by the comparison, and that judging from Dublin we should not have fifteen wards in Belfast? Belfast has worked well with five wards; Dublin not so well with fifteen. Therefore, the gentlemen who have laid a great deal of stress on the Dublin precedent will, when they come to consider it, possibly feel that the observations I have made are not altogether unworthy of consideration. There is another matter I feel it necessary to bring before you in connection with the scheme of the Water Commissioners. What we all wish to do is to secure a harmoniously working governing body. We know from the evidence brought

before you on the question of extension how these districts which are mapped out as fifteen districts are circumstanced. You have certain districts in the heart of the town of a wholly different character from the districts on the margins. You have in the centre small closely built upon and highly valued districts, and you have on the outer portions of the map districts larger in area, to a considerable extent washed upon and very different in valuation. The wants and requirements of districts out at Anderson are essentially different from Nos. 1, 4, or 5 of the town, and if you split them up you inevitably introduce into the governing body conflicting elements which will be struggling with one another. That must have struck Captain Gilbert who avoided it by a plan which gave satisfaction, and he avoided it by forming a district which would enable both classes of voters to make their views felt. Unless a man has a most positively constituted mind he will lean to the side of his constituents, but you can secure a common and independent opinion by having a man to represent an entire district, whose wants and requirements are not dissimilar. That is a very serious matter which ought to be considered in connection with this scheme of ten, which altogether fails to give effect to that radiating principle, for although certain central districts are parcelled out into wards, these are essentially different from the scheme which introduced the principle of radiation. Primarily that was a scheme for redistributing the wards of Belfast, as Belfast existed without taking the proposed extension into consideration, and with great respect to the accurate gentleman who has prepared it, seems open to the observation that without studying what extension will do, and only having a very vague and general regard to what they propose to take in here and there, on occasion may require, leaves the rest of the scheme unaltered. I don't think that is a scheme which is entitled to receive consideration as one having regard to the proposed extension, and enables you to make up your mind, if you think any extension desirable, what the division ought to be, having regard to what the extension is to be. Mr. Young's mind is so struck with the propriety of taking a central point and going out to the margin, that he approves of what Mr. O'Neill proposes, who comes forward and discloses what no one else had brought before you—in his judgment that there is an underline in this matter, an undercurrent of religious feeling; and he tells you what is all important, that radiate as you will, and subdivide as you will, the gentlemen whom he thinks are unrepresented never will be represented until you adopt the unitary principle. Now, I think that is a question not before you, and not to be determined by a Commission, but by the general council of the empire. It is the most general application of the law we live under, that, if it is to be changed, let it be changed by those who have charge of the law. The law places the entire country under the same difficulty; there is not a borough or county which is based on the principle of representation by majorities that doesn't labour under that evil at the present moment, if evil it be. Therefore that opens up a matter which you cannot rectify, and leaves Mr. O'Neill's evidence very much in favour of the plan we propose, which is on the radiating principle; but to secure what he is so anxious about—the independent representation of independent religious views, we may leave that for centuries instead of for a very much shorter period. We cannot frame a scheme which will give satisfaction to every religious denomination. We may give that up in Ireland, England, or anywhere where there is freedom of opinion. As many men as many minds will be the rule always. Mr. Young and Mr. Harvey follow the same principle. Mr. Harvey says he has not been able to go into the consideration of what the result of Mr. Young's scheme would be, but the tendency of the Corporation has been in the direction which Mr. Harvey himself says is likely to produce the result he would approve of. It is suggested that



may have a better effect on the evidence of taxation—at least that is what I understand Mr. Collins to suggest when he said that the Water Commissioners have a fairer mode of representing their constituents than the rest of the town who appoint Commissioners have. He tells you they have reduced substantially their rates. That is perfectly true, but if they have reduced the ordinary rates they have raised the special rates.

Mr. Collins.—We have not increased the special rates.

Mr. Andrew, &c.—The evidence of the special rate is wholly different from the evidence of the ordinary rate, and before we can judge that question we must take the whole area and see how far that works to the satisfaction of all. If you should come to the conclusion that the discrepancy between the two views is to be met; that whereas we suggest eight, and the other gentlemen fifteen, we could produce a scheme showing what twelve would be, I have to tell you that the scheme of eight has only been aimed at after a great deal of consideration. We came to the conclusion it was not only suitable, but adequate, therefore we were bound to present it to you as the result of the deliberation we had given the subject, having regard to the suggestions made by you. Mr. Collins and

others have said in very strong outspoken language, which is always desirable in a discussion of this kind, that there is great dissatisfaction felt by a great number of persons outside with regard to the management of the Town Council. We don't attach much importance to vague expressions of dissatisfaction, but if we can ask a gentleman to place his finger on anything wrong and ask him what is it, we have something to base our considerations upon. Here general evidence is given of dissatisfaction; why if the Town Councilors were aware they would not escape that. Yesterday was the day on which the entire elective body was called upon to exercise its privilege and yesterday with one single exception they returned the very same body as regards whom you are told such general dissatisfaction exists. If I wished for an argument to say such a thing did not exist I could point to the fact that every ward in the town was contested yesterday. I hope every gentleman will give you his views clearly and fairly and I am sure you will come to the conclusion that will be satisfactory to your own mind, and if that is so we will all have much to be grateful. We don't give our view dogmatically, we present it as something that has our approval and leave it to command itself on its own merits.

Remar.  
Nov. 24, 1877.  
Mr. Andrew.

#### ALDERMAN JAMES HARTLEY EXAMINED.

Alderman  
James  
Hartley.

4931. Mr. Brown.—You were one of the Committee that took an active part in the preparation of the Corporation map showing a division into eight wards?—I was one of the sub-committee appointed to consider the question.

4932. Was that question carefully gone into?—It was. The Corporation first went into the question settling what they thought the proper number of wards into which the town should be divided, and the principle on which the division should take place, and they aimed at the conclusion that the number should be eight and that the division of wards should radiate from one common centre as far as possible, that the wards should be divided as nearly as possible representing property and voters: consequently we prepared the map you see here keeping before us the principle or probable extension of the borough and endeavouring in all the districts that might be of a somewhat rural character to preserve the city ones and the other ones together, so that there might be no conflict of interest in the representation. Some believe that the Crossac ward should be made one ward, but there are difficulties—the area is too large, and it would make it a distinct interest as compared with the town of Belfast, and we thought it better for the general welfare of the town that each ward should have a common interest.

4933. You said eight was the number selected as desirable?—Yes.

4934. Was the question whether there should be a sub-division considered?—It was.

4935. Upon what grounds did you arrive at the conclusion that eight was the proper number for the general wants of the town?—It is a matter purely of opinion how many wards should be in a town. After all you can draw no mathematical line; the convenience of the voters, the size of the town, and the general wants of the town should be fairly considered in the number of wards. We thought eight wards would be sufficient for the wants of the town, and that forty-eight Councilors would be as large a body as could be managed, for the experience of large numbers in other towns did not lead us to a favourable conclusion.

4936. Have you any opinion whether, for the purpose of representation, large wards are more beneficial, than to have a town split into a number of small wards?—The large area gives a much more correct representation than the small one; there is much less chance of manipulation.

4937. Are you able to say from the experience you have obtained in laying down that map whether merely drawing lines on a plan of the town would be a very inefficient way of showing how the town ought to be divided into wards?—No doubt it is not mere laying down of a map; the first idea was to get a good artery, a well defined boundary; we have sometimes to go in and out so as to equalize the two great things that should be present in all distributions of wards—the representation of property and people.

4938. Mr. EXHAM.—You have been appealed to as a man in whom all parties have confidence; in making out that plan was there the slightest manipulation of the streets in the wards with the view of rating or representation, or anything in that way?—No; and I could not tell you how that would affect parties in the town.

4939. Your idea was to have a radiating principle, and to give the country portions an equal voice with the town portion?—Yes, and the question of political parties never entered into my head, and I suppose I had as much to do with it as any other member of the Corporation.

4940. Would it be possible to have ten wards radiating?—I am afraid it would present considerable difficulty if you sought to get a good line of demarcation.

4941. Do you think it could be as fairly done with ten wards, or that it is a fairer distribution to divide the town into eight wards?—I don't see any difficulty in it, but I don't see any advantage either.

4942. If others think it would be better to have ten, and if that would be the means of heading any feeling there is on the subject, would it not be desirable to have ten if there is no physical difficulty?—There is no physical difficulty, but I don't see what advantage it would be. I presume the leading reason for increasing the number of wards, so far as we have heard, would be that you would get a more correct representation on the Corporation, but I don't know whether by changing from eight to ten you would arrive at that.

4943. Or by changing to fifteen?—No.

4944. Why change to eight?—You will be increasing the valuation and area of the town, and the number of voters, and that is the only reason you should increase the number of wards (I don't see any good reason for it), but if gentlemen think there should be an increase, and say there will be a good result for it,

January.  
Dec. 28, 1879  
Addressed  
James  
Heselt.

and on the suggestion was made by you we had to consider it, and we propose this increase to eight.

4945. *Mr. Callaghan.*—Mr. Heselt gives as one reason for increasing the number of wards, the convenience of the voters. If that is so with eight wards, would it not be more convenient to increase the number to fifteen?—It would be an immense convenience to them just on the same principle, that if there was a railway station at our door it would be

a great convenience, but we cannot all have railway stations at our doors.

4946. It is an odd circumstance that the outlying districts are very much neglected, and if for instance No. 16 ward had representatives in the Council, a great many things would be done for it which are not done at present.

[The inquiry was then adjourned until next morning.]

Dec. 27, 1879

# BELFAST.—TWELFTH DAY.—NOVEMBER 27th, 1879.

(Before Mr. EXHAM, Q.C., Chairman.)

Mr. Deane.

4947. *Mr. Deane.*—Referring to the matter of the roads which I alluded to yesterday (the subject I noted in the map I have handed in, and if you accept that on your notes I have nothing further to say), if I understood Mr. Andrews right, I think he informed that Sir Thomas McChesney accepted the present division of five wards, but he furnished a skeleton map to show he was not bound by any but left that to the ratepayers themselves.

4948. *CHAIRMAN.*—Have you made any calculation yourself as to the number of voters in these added districts, because if there were not a considerable number it would be a difficult question to give them a ward or wards to themselves?—They are likely to be increased largely from time to time, and the reason why we claim to be entirely separated from existing wards is this, that we are so thinly populated at present we would be entirely outnumbered by the populous districts of the present wards, so that we would virtually have no representation.

4949. Would you show me a place where it was mentioned for a moment by any parliamentary committee that districts where there are 160 voters should get representation on a Town Council equal to a place with 1,000 voters?—Look at the extent of the district taken in.

4950. That would be a very good reason in time to come—say twenty years, but your late contention was that the ground should not be brought in at all, as it was only sparsely built upon?—That is quite true.

4951. And when you are brought in how can you say you should get a ward to yourselves, claiming you to have five or six town councillors the same as the ward with over a thousand voters?—I calculated that so far from 100 there would be 300 or 350 voters, but if they were associated with Rathfriland they would be virtually swamped. Remember that these people, if taken in, will be taken in against their wish, and they should have a voice in municipal affairs, especially as they don't wish to be brought in.

4952. I was told that there would not be more than 100 brought in in the whole districts; so is your proposal that Rathfriland, Strandtown, and Knock districts should be made a ward for themselves, and say they had even 200 voters, that they should get the same representation as a ward that had 500 or 700 voters?—I should say so being brought in solely voters.

4953. In 1853 they were brought in solely voters, but there was no ward given them at all, the five wards were then formed radiating from the centre of the town, although the area was increased from 900 acres to close on 6,000. If that principle was carried out your districts would not get a ward for itself at all. If Belfast goes on as implicitly as since 1853, what would happen in twenty years hence, and that is a matter that cannot be lost sight of. Mr. Giffin and Mr. O'Neill have just taken the same view of it that Captain Gilbert took in 1853. You would have a conflict between the ratepayers in the rural portion as against the ratepayers in the city portion, and you would have no unanimity; each set of ratepayers would be looking to their own interests, and constant bickering would go on as to the expenditure of money. Suppose you were brought in, has Sir Thomas McChesney any opinion about the number of wards?—He did not

authorize me to express his views on that, but his opinion is, they should be increased very much more than at present, and I rather think he fell in with a general view with the number fifteen. It was a matter he had not given special attention to, and therefore he did not propose to enter into it.

4954. *Mr. Deane.*—I found yesterday, on reading over the evidence given by some members of the Corporation, that you had travelled out of the quarters of the wards, and had gone into the question of extension of the boundaries.

4955. *CHAIRMAN.*—I merely asked one or two gentlemen who happened to be here what was their opinion. Mr. Giffin thought it would be better to have a small extension than a large one at present.

4956. *Mr. Deane.*—The Corporation took no part in it.

4957. *Mr. Deane.*—I am glad to hear Mr. Brown say so, for I thought the evidence was brought out by the Corporation.

4958. *CHAIRMAN.*—Does you intend to say anything as to the wards?

*Mr. Deane.*—The only thing I would say is that we fully endorse the proposition put forward by the Water Commissioners. I think they are entitled to thanks for the great care, and I would say abundant praise in which they have sub-divided the wards. It was not like the scheme of the Town Council which no one had an opportunity of seeing. Here they came forward giving all the details as to valuation and voters.

4959. *CHAIRMAN.*—The Corporation did the same thing.

*Mr. Deane.*—They gave the figures in a different way altogether, and they did it without notice to the public, and no one knew anything about it.

4960. *Mr. Brown.*—What notice did the Water Commissioners give?

*Mr. Deane.*—They stated at an early portion of the proceedings that they would recommend five, and I was anxious to see the way they would be formed. They have elaborately got up the subject, and have divided the area, burgesses and valuation, and that proposal seemed to meet the almost unanimous feeling outside.

4961. *CHAIRMAN.*—But Mr. O'Neill and a great many others go against that altogether. Mr. O'Neill, while adopting the fifteen, goes on a different principle altogether. He says they should all radiate from a common centre. That is Mr. Harvey's view, Mr. Young's and Mr. Giffin's.

*Mr. Deane.*—Very likely you will form your own opinion about the starting point.

4962. *CHAIRMAN.*—But when you say you adopt the scheme of the Water Commissioners, you see there is an essential difference between them?

*Mr. Deane.*—As to the number of wards and the number of burgesses in each, I think they are quite right.

4963. *CHAIRMAN.*—But that would be materially changed if you adopt the radiating principle; if they adopted the principle of radiating out the centre of the city, they would then have eight wards springing out from the seven wards in the centre, but if you take the fifteen wards radiating from the centre that shows the proposal altogether. Mr. O'Neill would not have

anything but the radiating principle, and so do the others.

Mr. DIMMER.—I look upon it that ten wards with a possible increase in the representation, would put the town in the same position as at present, with a very large constituency in each ward, rendering it almost impossible for any man of small means to put himself forward.

4964. CHAIRMAN.—Mr. Colligan and others started with saying, look at England and the number of burghs there compared with Ireland. That is quite fair, take Liverpool, you have 20,000 burghs in some wards, and if the representation is to be the same in Ireland, why not have a ward with 20,000 voters. The largest proposed by the Corporation here is 1,225, the largest put forward by the Water Commissioners is 513.

Mr. DIMMER.—I think we have a precedent to follow in Dublin, Limerick, Cork, and other places.

4965. CHAIRMAN.—In some of the wards in Dublin you will find there are not 300 voters.

Mr. DIMMER.—When the wards were formed here they were all under 300, and until some precedent is given in Ireland to the contrary, you should follow the precedent of Dublin.

4966. Mr. DIMMER.—There is probably one thing within your knowledge in Dublin in the small wards, there is no canvassing except by circular.

Mr. DIMMER.—Have the cost of postage stamps would be something enormous.

Mr. Charles H. Ward, solicitor.—I attend here in pursuance of a resolution of which I hold in an official copy (see Appendix 14), to request that the present municipal area should be subdivided into fifteen wards. That resolution was passed by the Board of Guardians unanimously, and I take leave to say it is one of the most representative bodies in Belfast for this reason, that they are elected by the Parliamentary franchise, the valuation varying from £4 odd upwards, and that consequently they have a larger constituency, in point of fact, than returns the present members of Parliament. Two guardians are elected for each ward in Belfast. Every person valued from £4 upwards has a vote, and consequently when a Board like the Poor Law Board have passed a resolution unanimously in favour of fifteen wards, I submit they speak with some authority as representing to large a constituency. I really don't know, and I question if anyone does, what the plan of the Town Council is, or what they propose to do. The Board I represent discussed the matter publicly, and publicly passed that resolution. I am not aware that the Belfast Town Council have ever even publicly discussed this question. This proposal has emanated from the small committee of twelve; the council itself numbers forty members. The council, as a council, so far as I can understand, have never adopted any plan upon the subject. The Water Commissioners have publicly adopted a particular plan, and I must say a very admirable one as it appears to me. It has been proposed by one of the most eminent men in his profession, Mr. Macanay; he has not put a bare plan before you; he has supported it by statistics of the most important character, and I really think that these two boards at all events, having come to precisely the same decision, and come to it, as appears to me, in a legitimate and public way, their resolutions ought to have some weight with the Commissioners. I must discharge my duty when I appear here and hand in this resolution, and make the request which I now make to you.

4967. CHAIRMAN.—Have the Board at all entered into the question of the formation of the wards as at present, that is radiating from the present or some common centre?

Mr. Ward.—They say fifteen square wards. They agree in the general principle there should be fifteen wards, and as to the formation of these wards it is a mere matter of detail.

4968. CHAIRMAN.—It is a very serious question even on the principle of adopting fifteen wards.

Mr. Ward.—I am sure the wisdom of the Commissioners would settle that with all the evidence before them.

4969. CHAIRMAN.—If Mr. O'Neill's view is right all the increase trouble Mr. Macanay has taken will go for nothing. Captain Gilbert set out the reasons why the only fair plan was that radiating from a common centre, and if you don't adopt that plan I can see there would be constant conflict between the representatives of the different wards. The contention is that there should be in each ward two classes of voters, the rural class outside and the city class inside, and that there would then be a conflict amongst the representatives.

4970. Mr. DIMMER.—Dublin does not radiate from a common centre at all.

4971. CHAIRMAN.—No; but that has been thought a wrong principle, and Captain Gilbert's principle is one that carries a good deal of sense with it, and meets Mr. Goffikin's, Mr. Young's, Mr. O'Neill's, Mr. Harvey's, and Mr. Hughes's view.

Mr. DIMMER.—I don't think Mr. O'Neill has given the matter much consideration, and it appears to me to be a complete answer to it that the people living out at the end of the ward would have two and a half miles to come to the centre.

4972. CHAIRMAN.—No; because booths could be put up near there.

Mr. Colligan.—The only objection to the Corporation plan is, that it proposes only eight wards instead of fifteen.

4973. Mr. Ward.—If the people were represented it would be much more important than property. You can never equate the representation of property. There are some wards where property would be always represented no matter what arrangement you made.

4974. Mr. DIMMER.—There is a feeling on this subject in the wards, but the Corporation went out.

4975. Mr. BIRCH.—The retiring councillors went for eight wards, and they were all returned except one.

4976. Mr. DIMMER.—I will venture to say that for the last twenty years there has been feeling on the subject, but nothing has been done. The Corporation promised when they got an Indemnity Act in 1865, to introduce a bill to increase the number of wards, but they never did.

4977. CHAIRMAN.—I admit all that, but if there is such feeling in the wards, why were there not meetings held to discuss the subject, and to express the views of the parties?

4978. Mr. Colligan.—You were kind enough to throw out a suggestion last night about a conference. Have the Town Council nothing to propose in response to that? If they have I think the whole thing might terminate in give and take on the part of the different bodies who have pronounced on this subject. Let them have a month to consider the matter, but if they are not prepared to make an advance, the only thing is for the public and private bodies concerned to give evidence in support of the different projects they put forward.

4979. CHAIRMAN.—I think you are quite right. If you could get the parties to agree upon a given number say ten or twelve, and if they would select any two gentlemen to come up to us to Dublin, the question could be settled. My present view is there should be ten wards, and I base that opinion very much on the evidence of gentlemen like Mr. Goffikin, Mr. Young, and Mr. Harvey. Their evidence has satisfied me there is no practical difficulty in the way of having ten. I do not think the Corporation evidence so overwhelming at all in favour of eight.

4980. Mr. DIMMER.—I think the weight of evidence is entirely in favour of fifteen. We have the recommendation of the Select Committee of 1864, and then we have the evidence of the Poor Law Board and Water Commissioners, and all against one member.

4981. CHAIRMAN.—Would you think it desirable

RECAPIT.  
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to have a revaluation of Belfast with a view of equalizing the taxation, as the houses in the older portions are not at all valued equally with the newer part of them, while the new buildings are valued according to their full value.

Mr. Dinnes.—I think some parts require revaluation, but I should be sorry to see the revaluation of districts that are now rural, and that a revaluation should be put upon them as building ground.

1982 CHAIRMAN.—That would not be so.

Mr. Dinnes.—But if you ask for a revaluation the agricultural land which will remain agricultural land for 30 years may be valued as building ground at £10 an acre. There is no doubt, however, that there are old buildings in the centre of the town which should be revalued.

1983 CHAIRMAN.—Would you confuse your revaluation to the buildings in the town?

Mr. Dinnes.—Yes, I would say that they should be revalued.

Mr. Bruce.

1984 Mr. Bruce.—You may recollect what was said by myself when this inquiry was opened in August. The Corporation were here, not insisting anything, but in pursuance of your request to give you their views. The Corporation, before this inquiry, came to the opinion that the existing wards worked well, and they merely proposed one new ward for the new district which they thought should be added. You threw out on a former occasion that that was not sufficient. The Corporation, therefore, on the given and taken principle met, and fully considered the question by a sub-committee, and they considered it without reference to anything political or otherwise, except whatever would be the best for the town, and they arrived at the conscientious conviction amongst themselves that the best thing for the town—the best means, neither making the wards too large or too small—was what they proposed. It is very easy for Mr. Hissett to make ten wards on that radiating principle or fifteen or fifty wards; but Mr. Hissett did not think that ten wards would be nearly as practicable and convenient as eight; because they had gone into the elaborate calculation, and the eight shown on the map have almost identity of valuation. The two smaller wards, Cronan and Dock, are rapidly increasing in building and valuation, so that there is not so much discrepancy between them, and that is the question upon which the Corporation have given you the best opinion. The question of ten wards was before the Committee, and it was assented and rejected; and I confess that I have no power to act except on that resolution which fixed the number at eight.

1985 CHAIRMAN.—There were eight for the resolution for eight wards, and four for the resolution for ten wards.

Mr. Bruce.—I am not prepared to say if their opinion would be altered if the matter were sent back to the Corporation. They gave it as their opinion, and you, of course, will arrive at the best conclusion you can.

1986 CHAIRMAN.—How is it that the Cronan ward and the Dock ward are so different in the number of voters?

Mr. Bruce.—That is the best that can be done on principle, and if anyone can lay a better principle before you we will be glad.

1987 CHAIRMAN.—But 630 voters should not have the same voice as 1,276 with the same amount of property. Even on your own principle the latter may be made to make each ward have about 600 voters.

Mr. Bruce.—But if you touch the lines you must rearrange the whole matter.

1988 Mr. Ward.—Why should it not be so if the original arrangement was made thirty years ago, and the gentlemen who made those wards would not know Belfast if they returned to it now?

Mr. Bruce.—There has been a great deal said about the resolution of the Board of Guardians and that you should attach a great deal of weight to it. I have now before me the paper of the 25th October, the "Northern Whig," which we all know contains very good reports of local matters, and I find the whole thing was passed on the motion of Mr. Rea who moved the motion handed into you. But there was not one single word of discussion. I see that Sir Thomas McClure was there and Captain Harrison, who have interest in the town whatever, but his property is in the neighbourhood; Mr. Hewson, Mr. James Alexander, Mr. David McConnell, who does not live in the borough, and a great many persons who don't live in the borough at all; but it does not appear there was one single word of discussion, or that a single member asked whether a map had been prepared, or entered into any question in the slightest degree showing interest, or knowledge of the subject—Mr. Rea passed the resolution. Mr. Rea is a gentleman who occupies a good deal of time discussing the first resolution that he likes. The Board passed the resolution not thinking it a matter of much importance and being glad to get rid of it, and what is that resolution—that Mr. Ward be instructed to appear before you, and take such steps to have the entire municipal district (whether the present one be increased or not) subdivided into at least fifteen square wards. I suppose this is a resolution that Mr. Rea drafted on his knee as he was driving up to the Board of Guardians, and this was actually so carelessly drawn and passed, that under it Mr. Ward might be perfectly justified in approving of the sub-division of the borough into seventy wards, and what are they to be? They are to be at least fifteen square wards of a size as nearly equal as possible and so apportioned as not to contain more than 500 voters each, to enable voters to vote at one central polling place. That is an inconsistent and impossible principle, for if you take fifteen wards multiplied by 500 you will not get the amount of the constituency. I would like anybody to try and cut the town into fifteen square wards. When Mr. Dinnes asked you to attach weight to a resolution passed by the most representative body that you have, who passed a resolution without discussing it, cut and dry by Mr. Rea, without consideration, a resolution which is inconsistent and impracticable, I say that resolution is not entitled to any weight whatever.

Mr. James Dempsey.

Mr. JAMES DEMPSEY examined.

1989. I am a farmer in York-road and I have given evidence here before, and I was a candidate several times for Dock ward, twice at least, and I am the Vice-president of the Catholic Association. In connection with this inquiry the association took some steps previously, but it has not taken any recently; in fact I am not appearing here at all in any representative capacity and only as an individual taking some interest in the town matters. I think I know the feeling of a great many of our body with regard to this question of changing the wards, and I don't see so far as our body are concerned any improvement, if you cut up the town into forty or fifty

wards, and I may say that we are not of the opinion that the gentlemen are at all concerned for our interests either on the Water Board or at the Poor Law Board. We sent gentlemen to the Committee of the House of Commons to give evidence in that regard, that our idea was that the principle of cumulative voting or minority voting would be more satisfactory than any cutting up of the wards. No cutting up of the wards could at all satisfy us.

1990 CHAIRMAN.—I cannot go into any question of minority voting or plurality voting.

Mr. Dempsey.—It has been before the Select Committee and it has been referred to in their report.

REMARKS  
See H, 1429.  
—  
Mr. James  
Dempsey.

4991. CHAIRMAN.—But our warrant does not entitle us to enter into anything except as to the rectification of the boundaries of the wards.

Mr. Dempsey.—I have discussed the question with a number of gentlemen, but we have taken no collective action with regard to this inquiry. The wards at present are not so very unmanageable to a candidate, and I don't see any necessity for any gentleman who was willing to lend his services, to be put to the trouble of going round to each house and talking them so; on far as that is concerned, if the voters do make a blunder and take up the wrong man that can be rectified without any great prejudice to the town. So far as the question is concerned, the effect of splitting up the election into fifteen or ten instead of five wards is to increase the expenditure; that I see no justification for. I hold to the opinion that the larger the constituency the more thoroughly independent representatives will be the candidates elected. I totally disagree with pocket boroughs or small constituencies. I think they work no good either in Parliament or anywhere else. If you increase the number largely, at least in the suburbs where they are away from the influence of the centre, you will put the work into the hands of small cliques who will manipulate them, and I as a member of the minority say the majority will always be able to manipulate the wards by canvassing and all that sort of thing to the prejudice of the minority. On principle there might be some alteration made with regard to Grosvenor ward which seems to be the largest in point of valuate at present; and if you are going to increase the district around it there might be some alteration in it. There might be a division of Grosvenor ward, and I think the other wards would bear an increase. For instance, I happen to live at the borough boundary at the Dock ward, and it could bear increase. George's ward and Smithfield ward would also bear it, and I don't know whether there is a projected increase to St. Anne's ward. But I think if the town is to be made up into this large number of wards I would be in favour of having the voting power somewhat smaller in the wards. I don't see why a thousand voters should have only one representative when 500 have also one. I think voters should be represented according to their actual numbers. My idea would be that you must increase the number of Councillors. I think the number might be fairly increased.

4992. CHAIRMAN.—From forty to fifty or more—I would say to fifty-four. I would say nine for each ward, and three rotating each time.

4993. Can you from speaking with a number of others, say that your feeling is the feeling of a great many others?—It is the feeling of those who have discussed the matter, and who have agreed with me. Mr. Colligan and I don't agree in this, although we are not so different—we both aim at the same object. He has thought that a sub-division might give us one ward in which our religion would have a chance.

4994. Mr. Colligan.—That is not my opinion at all.

4995. CHAIRMAN.—No, he said he did not approach it from a religious point of view at all; the only one who has adopted your view is Mr. O'Neill.

4996. Mr. Dempsey.—As I have taken a part in some party organisation for meeting the system of exclusion that exists, I say, it would be much more convenient for any party organisation to deal with five or six wards than it would be to scatter themselves over fifteen wards. For it makes fifteen ward committees, fifteen officers and machinery necessary, instead of five. I think that the Dublin wards are far too small and much scattered. I see that in Limerick some gentleman wanted the wards increased as they

were too scattered. Looking at the representation in Ireland, I cannot understand why a constituency of 100 should return a member of parliament, and a large constituency like this of 20,000 should only have two. If the argument that the town has increased was to apply to the parliamentary representation it would mean that you should cut the town into two.

4997. CHAIRMAN.—Have you looked at the map with the eight wards marked on it?—No; I don't feel any interest at all in this arrangement.

4998. Your idea would be to have one added?—I am not at all particular on the subject; but I would go in for six wards so as to increase the number of Councillors to fifty-four, and I think the system of electing aldermen might be easily done away; and the aldermen should be elected with the Councillors. I don't think it is right to have separate elections for the two. He is not generally better than the Council, and he is generally better when he gets office.

4999. Mr. Colligan.—You are vice-president of the association that took an interest in this matter and who sent a representative to London to give evidence before the committee?—Yes.

5000. Who was that representative?—Mr. Biggar.

5001. Have you read his evidence before the committee?—I think I have, most of it.

5002. Representing the Catholics of Belfast, what evidence did he give?—This committee did not instruct him to say anything with regard to the increase of the wards. Mr. Biggar was a liberal politician before he joined our body, and he did answer some questions.

5003. Was he asked by a public meeting to attend and give evidence on behalf of the Catholics with regard to this very question of the representation of the wards?—No; not with regard to the wards at all. He was deputed to give our evidence as to the forming of cumulative voting and the representation of minorities.

5004. In that evidence does he not go in distinctly for fifteen wards? I think he says he would go for more, and he was the accredited representative of the Catholics of Belfast to give evidence before the committee?—Not on the subject of the wards.

5005. I say yes?—I say most certainly not, and I can give the Committee the resolution authorizing Mr. Biggar, and the matter of the ward is not referred to or discussed.

5006. Is it not true that you have no representative authority here?—I have already said so. I have come in my individual capacity the same as you do.

5007. You are giving it in evidence that you were Vice-President of the Catholic Association, which can have no effect, inasmuch as that resolution of the association deputed the representative to give evidence in London in favour of fifteen wards?—In his individual capacity only he gave that evidence.

5008. I am sure the Committee have read some of Mr. Biggar's evidence, and the first thing he was asked was did he appear on behalf of the Catholics of Belfast, and the first thing he did was to read the resolution.—The resolutions are in the Blue Book of the report and you have them, and we passed no resolution with regard to the wards whatever. Mr. Biggar has an individual opinion, and so has Mr. Colligan and anybody else, and I am sure we all agree that it is desirable to have a change in the representation.

5009. CHAIRMAN.—Do you both agree that that cannot be done by any alteration of the wards?—Certainly, and Mr. Biggar gave such evidence himself.

5010. CHAIRMAN.—Except to make wards for certain classes of voters?—It could not be done unless you put one class of people into a particular ward.

JOHN J. DUFFY examined.

Belfast.  
Nov. 21, 1878.  
Mr. John J.  
Duffy.

5011. On this question of the wards I have no fixed view myself in regard to how the wards should be constructed, but I believe that they should be extended.

5012. That is, the number extended to—The number. I am not speaking of the borough extension, although I believe it should be extended. I think the present arrangement of wards should be altered. I happen to disagree with Mr. Dempsey. I am here only as a ratepayer; but beyond that I have some little knowledge by exchange of views, while talking over the matter with others. It is my own opinion that the majority not only of my own co-religionists, but independent Protestants and other independent bodies in Belfast are in favour of fifteen wards; and I have that opinion upon the fact that it has been discussed about twelve months among the people who take an interest in local matters. I think the five wards at present existing is unworkable. It is almost impossible for any man to put himself forward as a candidate unless he is backed up by some influential committee or paid canvassers. With reference to the ward in which I reside myself—the Cromac ward—there was a contest on Tuesday last. There were two retiring candidates, and another gentleman of influence, Dr. Corry, who is generally respected in Belfast, who is in politics a Conservative and is an independent man otherwise; and in all local matters he throws both his religion and conservatism aside which I believe is correct; but because he had not paid canvassers and because of the extent of the ward and the trouble and pains necessary for working it up, there being 1,800 burgesses on the roll he did not succeed. But had Cromac been in three wards, and if he had stood for one of those certainly he would have been returned. With regard to the other wards, I believe that the experience we have of them is this—that there are very few independent people who put up for them at all. There are only certain people nominated by a certain association. It has this undesirable effect, that large owners of property, the Musgrave, the Cokers, the Simclairs and others have no representation on this Council at all. I am not speaking of religion at all but the representation of property, and I think if the wards were increased say to fifteen, it would be better; I don't care if there are twenty but I think fifteen would be better, and I agree that it should be in square wards. I think it would be impossible to make them workable if they radiated from a common centre, and it would deteriorate very much from the improvement I would expect if they were on the radiating principle. I don't think I need say more than that I differ from my friend Mr. Dempsey, with regard to the public meeting held by Catholics. I attended that meeting and I seconded an amendment to the resolution passed and that amendment was adopted by the chairman who did not approve of the principle of fifteen wards for Belfast.

Mr. Robert  
Carnwell.

MR. ROBERT CARNWELL examined.

5022. I merely appear before you to say that this plan of fifteen wards was discussed before the Law Committee which consists of the whole Board. It then went up to the Board for confirmation, and was afterwards put before the Commissioners. As to the mode in which the wards are divided, there was a special meeting for the purpose, and the mode was unanimously adopted. I have heard a good deal said yesterday and to-day as to the expense of working fifteen wards, but for the life of me I can't see that. I believe it is much cheaper and much easier to work fifteen wards than five. If I take up Smithfield ward it is cut into three. Each represents about the total of George's ward. Suppose I have to send out circulars to 441 electors, it would be much easier for me to do that than to canvass the whole of the ward.

5013. CHAIRMAN.—When was that public meeting held when the fifteen wards were sanctioned?—It was held in St. Mary's Hall.

5014. Was that the meeting that deputed Mr. Bigger to—Yes.

5015. Mr. Dempsey says from his knowledge there would be more disunion and more manipulation if you increased the number of wards, for you would still have a staff of canvassers and paid agents in each of the small wards—I disagree with him, for I think it would remove the necessity for any canvassers. By having the wards small they could be easily worked, and if a man lived in the ward he would be known, and it would be unnecessary for him to say anything more than that he was going to stand for it.

5016. What do you say to the wards in Liverpool with 20,000 voters—you would want forty wards there instead of one?—You are taking into consideration the fact that there is household suffrage in Liverpool, and supposing we had household suffrage in Belfast we would have 40,000 at least on the burgess roll, but that would not at all interfere with my principle as to the extent of the wards. For instance, where there are 400 now it would increase to 1,800 if we got what they have in England.

5017. You say that 1,000 is unworkable and too large for a constituency?—My objection does not rest at the actual number of electors, it is more the extent of the district.

5018. Of course then you disagree with the Corporation proposal?—I certainly do. I believe the Corporation proposal is a very foolish one. That proposal is based on the assumption that the borough will be extended.

5019. Mr. Callaghan.—Smithfield contains a number of mills with limited liability companies, no one proposes to give them votes?—I would approve of the fifteen, but not as arranged by the Water Commissioners.

5020. CHAIRMAN.—There is the map with fifteen radiating from a common centre?—I really think on consideration it would be a better representation of property in the different interests. It is a complaint at present that certain streets are well lighted and looked after while others are neglected, and there is a great deal in the argument about conflicting interests.

5021. Mr. Callaghan.—I don't care how they are arranged if there are fifteen wards, and the principle of the radiating map is satisfactory to every one, and if we accept the principle that there should be fifteen wards, and if the number is arranged, I think the Government should send down a surveyor to mark them out. With the assistance of the Town Council, and afterwards of Mr. Montgomery, who knows the town well, and in whose impartiality and ability every one has confidence, the town could be arranged to the satisfaction of every one.

These are the reasons why I think there should be fifteen wards. With regard to the radiating principle it would be rather difficult—who is to suggest a common centre?

5023. CHAIRMAN.—That was Mr. Harvey's suggestion and Mr. Young's?—Fifteen wards on the radiating principle makes a very narrow starting point, but suppose you had a central ward and divided it into four it would not have the same objection.

5024. Do you concur in the principle that having square wards you get into conflict with the representatives of the ratepayers outside?—I never heard of such a thing, and could not conceive it could be raised.

5025. Mr. Callaghan.—I go in on six or seven grounds for fifteen wards. The first is, that both the English and Irish Municipal Acts were passed for the

purpose of giving representation to the people, having regard, of course, to valuation. In this case it was directed by the legislature that the towns should be divided into wards, and subsequently an Act was got—the Reform Act for Dublin—some years after the General Reform Act, and it directed that the wards in Dublin should be increased on the ground that it would give the people more convenience and better representation. These were the grounds on which the wards in Dublin were subsequently increased from what they were laid down under the Act of 1840. If that be the case, I think that when Dublin with a population of somewhere about 340,000, and with a municipal roll somewhere about our own or less, and with an area less, had its number of wards increased for the purpose of the accommodation or convenience of the voters, it is in the very best ground why the wards in Belfast should be increased from five to fifteen. That is the first reason. That could be pushed further by reference to Cork which has only about 2,000 burgesses, and 70,000 of a population, and yet has seven wards and fifty-six Town Councillors. Waterford with its small population, under a fifth of Belfast, has five wards. Therefore we have on our own Irish soil precedents innumerable for increasing the wards in Belfast. It was found necessary, under the Municipal Act of 1840, to divide Belfast for convenience into five wards, when the population was not much more than 118,000, and the municipal votes were about 1,000 or somewhere under it, and the valuation nothing to what it is now, not a third I suppose. In fact for the last ten years the valuation of Belfast has increased on an average £10,000 a year—that is £100,000 in the last ten years, and it has increased every year from 1840, the year in which the Municipal Act laid down five wards for Belfast. On the grounds of the allocation in 1840 into five wards, with the population, number of voters, and valuation then existing, the town should now be divided into fifteen wards at the very least. Another reason is, that no one, I think, will deny that it would give more convenience to voters which seems according to Mr. Hazlett—a gentleman produced on behalf of the Town Council, to be one of the reasons why the Town Council have proposed to increase the number from five to eight. It will certainly convenience them more to increase them from five to fifteen. Another reason is, to give a better opportunity to independent men getting into the Town Council as the wards would be easier increased and less expensive to candidates, and therefore there would be a better chance of obtaining representatives to give all parties satisfaction. Another ground is, that it would give a better opportunity to the ratepayers to make their complaints to their representatives in the council, with regard to matters both sanitary and otherwise. It would also divide the responsibility of our representatives much more than at present. We now have eight representatives for each ward, and the responsibility is thrown upon eight shoulders, and if you complain about some part that is in an unsatisfactory state, they will say—"Oh, I cannot be there; some of my colleagues will; there are eight of us; go to some other; I cannot be there to-day." But if there are only three representatives for a ward, and that the responsibility lies on these three shoulders, the answer would be quite different, for they must take that responsibility, or otherwise run the risk of not being elected on a future occasion, if they don't do their duty. In addition to that, the number of inhabitants is small in a small ward; they know their representatives personally, and they can make their complaints, and in that case the interests of the town at large would be better attended to. There are some of the reasons, and there are others that I need scarcely refer to; but, I think, from the unanimity I have seen here with regard to the number of wards being fifteen, the conclusion may very readily be come to that the proposal for fifteen wards has the great majority of the people with it. We have a resolution of the Poor

Law Board passed unanimously; we have a resolution passed and approved of by the Water Commissioners; we have the other Corporation waited upon by a deputation, and the deputation received very cordially by the Harbour Commissioners. They have said nothing in reference to it, but they have said nothing against it. We have independent men represented here, who don't belong to any Corporation, and who go in for fifteen wards. We have men of divergent opinions in politics—Mr. Ward, who represents a vast number of the Orangemen of Belfast, has his own private opinion that there should be fifteen wards. We have Mr. Dinan who represents the Liberal opinion in Belfast to a very large extent, going in for fifteen wards; we have, in fact, men of all classes and creeds going in for fifteen wards; and we have sent the Town Council proposing six wards and afterwards increasing the number to eight, and that is not a unanimous conclusion at all. In fact it has not been proposed by any very large number of the Corporation themselves, but rather by a small committee which was divided on the subject, and a very large minority of that committee were in favour of a larger number of wards. We have gentlemen, such as Mr. Saffern and others, that are sitting on the three Boards in Belfast, going in for fifteen wards. In fact, I think, it cannot be denied that the vast popular opinion of Belfast is in favour of fifteen. With regard to the plan proposed by the Water Commissioners, it may not be all that is desired. A better plan after the form of Mr. Young's, I am free to admit, might be made out, and that could be easily done. Mr. Young's plan could be improved, and the pains the Water Commissioners have taken to make out their present plan, I am sure would not prevent them taking the same pains again, making out a plan radiating from a common centre.

1036. CHAIRMAN.—Mr. Cornwell is in favour of making a large central circular ward divided into four, and taking the others from that.

Mr. O'Gilligan.—The majority in favour of fifteen wards don't care what form they are made out in, except any form that will have regard to the number of voters and valuation. If it is in any form that will have regard to the number of voters and valuation they don't care how it is made out; and I am free to admit the majority would go in for the radiating principle as far as it possibly could be done, but I think that possibly the radiating principle for fifteen could not be done. I think if we had a thorough radiating system with one ward in the centre, all the others could be made to radiate from it, and I don't think there would be great difficulty in the Town Council officers settling about and doing that. This scheme of fifteen would suit the public bodies, as to retirement, much better than any scheme between one and fifteen. I don't see how you could arrange for the retiring of the Water Commissioners on the principle of ten. Even if you increase the Commissioners from fifteen as at present to twenty, that is giving two for each ward, and I don't see how they could retire—twenty in three divisions, for three won't divide into twenty. I think if the fifteen is to be departed from, that the plan laid down by Mr. Gullikin of twelve wards would be the next best to fifteen. That is my candid opinion, and I believe it could be wrought better. I don't see how you are to retire the Water Commissioners under the ten system at all. They could be retired by increasing them to twenty-five, one-third to retire each year. The twelve system would suit the Poor Law Board. It would suit the Water Commissioners too, and would be the next best to fifteen. Further, I go in for having the town cut up, having regard to voters and valuation as much as possible, into fifteen wards on the grounds I have said, and if that plan does not be carried out, I think it can only be wrought satisfactorily at the least by twelve.

1037. CHAIRMAN.—You have alluded to Dublin—don't you think that whatever operated on the island

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Mr Robert  
Cornwell.

DISCUSS.  
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Mr. Robert  
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of the gentlemen who fixed the Dublin wards did not operate on Captain Gilbert in settling the matter here. He appears to have called a public meeting where he accepted his plans in 1853. At that time he was dealing with a borough that had increased from the time the boundaries were fixed, and the number of houses had increased enormously!—Had Captain Gilbert the power to go beyond five wards?

5028. Yes, my power be liked!—I think it was directed by the Act of 1853.

5029. It was before the Act that his report was presented!—You should depart now from that principle to suit the progress of Belfast. If he could have perceived that it would increase the valuation three times and the roll of burgesses, don't you believe he would have made provision for that, and that he would have extended the wards beyond five at the time. The Dublin Commissioners as I see were appointed by the Lord Lieutenant—one of them a barrister of not less than six years standing—and they divided what was

before their eyes at the time—a built-up city—into fifteen wards. In Belfast we had a case which is now could never, and if Captain Gilbert had known that Belfast would have increased as it has done, your trouble in sitting here would never have arisen, for he would have made provision for the increase, and I therefore call upon you to carry out what you have suggested yourself—to make provision for the future of Belfast, to make provision for what it will be fifteen or twenty years hence, and in view of the likelihood of having the municipal franchise lowered to the parliamentary, the same as in England and Scotland, you will have a constituency vastly increased in a short time—increased from 5,741 up to 24,000, which is the parliamentary burgess roll of this year. How many are rated over £8 10s.?

5030. Mr. Mack.—There are about 5,741 on the roll, but the rating would be about double that. The number rated is about 12,733.

Mr. ROBERT T. McGRATH examined.

5031. I had no idea of saying a word, but I heard a statement made with which I do not agree, and as I know a good deal about the matter, I think it right to put my views before you. I have been for twenty years a member of the Town Council. During that time I have never canvassed for votes. I have never asked a single person to vote for me, and I stood content after content. I think if all our friends would just act in the same way and not ask anyone to give them a vote, it would be very much better. As regards the statement that Mr. Hendel was put forward by the Council I don't know, but I was not put forward by anyone. I very often differ with the majority of the Council. In this case it was stated that only a few were in favour of eight wards. There was a meeting of the Improvement Committee which consists of about twenty, and I think there was scarcely one absent; there were only four for ten wards and the rest for eight.

5032. CHAIRMAN.—The resolution itself says, "Eight for and four against?"—There were a good many there before and some of them had left. As regards the expense of fifteen wards it would be very considerable. You are aware that the ratepayers have to pay for the erection of booths. The voting papers cost a good deal of money. If there was any advantage I would not object, but I cannot see any advantage in having a large number of wards, while I can see great disadvantages. Belfast has extended no doubt materially within the last ten or fifteen years; houses have been built within the old municipal boundary to a very considerable extent, but not so very many outside; there have been a good many, but not so many as inside.

5033. When you say the old municipal boundary do you mean the boundary as it was before it was extended in 1853?—No; I am speaking of the present boundary. A great majority of the houses are built within the present boundary, while the area is no greater than in 1853, so that parties who are inclined one way or the other in doing so for the place selected in each ward as a polling booth is as content as can be obtained. On that ground I see no advantage in extending the number of wards. I have been all my life opposed to violent changes. I think changes that are necessary ought to be made moderately, and then they are likely to be permanent. If you go in for very violent change it very soon vanishes and it does no good. Therefore, I say if a change is to be made it should be made moderately. As regards the easier mode of canvassing, I attach no importance to that as I do not approve of canvassing. Another complaint was that the Town Council give favours to one and not to another. In all my long experience I have never discovered that, and if I had I would have

been the very first to expose it. There may have been one or two members who had favourites and would like to oblige them, but, as a rule, the Council acts most impartially towards all the ratepayers. One reason why streets in the extended area are not finished and completed so soon as in the town is, that the streets outside are only built on one side, and it is a hardship to make people buy out a great deal of money where there are only one or two houses in the street, and on that account the Corporation have had no right to press too hardily on the owners of property. The owners of other streets are in Chancery, and we would have to levy rates of people who are at a great distance away, and on that account there is delay, but as regards impartiality to one district more than another, I have never known of it, and I do not believe it has ever existed. I know, however, that people take up an idea and ventilate it, and very often it is not founded on fact. Therefore, I would wish you not to be misled away by any of the bias on such a subject that have been expressed. As regards three representatives paying more attention to the ratepayers than eight, I cannot understand that. I would consider that if eight were representing a ward some one or two of them would listen to the complaint and have it ventilated, whereas if there were only two or three they might all be absent. I believe the eight wards would be a sufficient change to make all at once. That is more than 50 per cent. of an addition, and I think that would be a great increase to make all at once. If in the course of time it is thought necessary to have a further increase in the wards it could be carried out. For the present I think you will find a moderate change best.

5034. But if there is a feeling abroad as there appears to be with some parties?—With a few.

5035. Mr. COLLIGAN says it is almost unanimous?—I read in the papers this morning that nine-tenths of the people were in favour of fifteen wards. I don't believe there is a man in Belfast comes into contact with the ratepayers more than I do. There are few that don't know me, and they generally stop me in the street and have a conversation, and I have not, as far as I know, come in contact with five, and I have I suppose seen 500, who have been in favour of fifteen wards; they say if there is to be an extension it should not go beyond eight wards. That is my experience throughout the town.

5036. Do you consider it right that the small wards should have the same representation as the large ones?—I think they should be equalized as far as possible, and we agreed to separate Ballymacarrett from Cromac ward in order that they might have an equal number of voters: Cromac ward is much too large at present.



5037. But the proposal as it comes before us now leaves one ward with 1,325 voters, and another with 500—That is an anomaly which could easily be remedied.

5038. If there are a certain number of people who require fifteen wards, might there not be some compromise. If Cromac and Ormeau wards were divided into three instead of two, and if St. Anne's and York wards were divided into three also that would raise the number to ten. Mr. Hardest says there would be no practical difficulty in doing that—I don't think there would be any practical difficulty, but I think the extension of the wards to ten would be too much at once. I think your idea could be carried out by a slight alteration in the number of voters in some of the wards, but I think eight is quite enough of an extension all at once.

5039. Smithfield, Dock, and St. George's wards have a valuation higher than Cromac, and yet they get the same representatives as Cromac has with 1,350 voters, while they have only 450 voters—I think if you left the matter with the Town Clerk it could be arranged.

5040. When you say you have spoken to 500, do you comprise men of all opinions?—To a great extent, but there were certainly more of one view than another, but they did comprise a variety of opinions.

5041. As far as you know, has there been any manifestation of the people generally, in favour of fifteen wards?—None that I ever heard of, except two or three gentlemen who live at the extreme part of the town—at Falls-road, I think.

5042. Mr. Colligan.—You have stated that the polling places are very central and convenient, is that true?—It is true that an effort is made to get the most central place, I don't know what the Town Clerk has been able to do, but I know the feeling of the Committee on the subject.

5043. Do you know where the polling place was for the election held here the other day?—I do.

5044. Where was the polling place for Cromac ward?—In the Town Hall or in a room in the Police-court.

5045. Is that central for the voters?—I suppose it was the most central you could get.

5046. From the Town Hall to the boundary of the ward how far is it?—It depends on which direction you go. It is about the centre of the ward.

5047. How far is it from this to the extremity of the ward up by Ormeau-road?—It must be more than a mile, but I cannot answer exactly.

5048. Is not the Town Hall exactly the boundary of the ward?—The Committee gave directions to the Town Clerk to get the most central place he could.

5049. Do you know Smithfield ward?—I do.

5050. Do you know Lamb-district?—Yes.

5051. Isn't that very far from the centre of the ward?—It is very near the end of it certainly.

5052. Mr. Bruce.—Isn't every election of Water Commissioners held at the Water Commissioners' office?

Mr. Colligan.—That is directed by the Act of Parliament.

5053. Mr. Ward.—Had you the pleasure of listening to Mr. Gaffin's evidence yesterday?

Mr. McCagh.—No.

5054. Mr. Ward.—Isn't he a very moderate man in his views?

Mr. McCagh.—Sometimes.

5055. Mr. Ward.—Suppose he stated here yesterday that in his opinion twelve wards would work beautifully!—On a former occasion he stated that, and I opposed him most strongly. I believe he voted for both ten and twelve.

5056. Was the proposal of the Council first to have six wards?—Yes; that was the proposal of the Committee.

5057. Was that ever submitted to the Council in public meeting?—I was away for six weeks and I could not answer that, but it was not to my knowledge.

5058. Don't you know that the resolution of a public body, passed publicly, should have more weight than the private opinion of a committee?—I don't think the opinion of fifteen Water Commissioners should weigh against the opinion of forty Town Councillors.

5059. Has that opinion of the forty Town Councillors ever been taken in the shape of a resolution or otherwise?—I believe it was before the Council in committees, but I cannot answer.

5060. Would you bind the forty members by twelve, which seems to be the number who took part in the division both for and against a certain number of wards?—No, certainly not.

5061. Has the opinion of the forty ever been elicited by resolution or otherwise?—I cannot say.

5062. Would it not be the legitimate way for them to attach their seal to some resolution expressing their opinion on the scheme proposed?—I suppose if they were called together they would very soon do that.

# Mr. WILLIAM HENRY examined.

Mr. William Henry.

5063. I wish to state that in my opinion, as a member of the Town Council, and as a taxpayer of Belfast who is considerably well known, there is not this outcry for fifteen wards that some gentlemen would had you to believe there was. During the canvass in the last election the question was never mooted. I think some of the reasons given are very childish. They say no independent member can get in. I happen to be one, and I was invited to stand by a requisition from over 300 doctors of the ward, and I was never nominated by any association. It is very wrong to say that, and with all Mr. Colligan's grievances he never came to me to ask to have a particular thing done.

5064. CHAIRMAN.—Were you present when the vote took place as to eight or ten wards?—No.

5065. As an independent member, what is your view as to the number?—I think if Belfast has prospered so well with the present number, it is a very safe criterion that it has been the correct number, and my idea was to keep the existing wards as they are, and make Ballymacarrett a separate ward; but when this map was prepared I said had no objection to fall in with it. Another mistake was in comparing Belfast with Irish towns only. I held that Belfast is portion

of the United Kingdom, and, therefore, it is very unfair to compare Belfast with Irish towns only. If you compare it with the English towns you will find we have as many wards as they have. Bradford has 9 wards; Sheffield, 3; Leeds has 12, with 4,000 electors in each. These are towns similar to Belfast. Look at Birkenhead, one of the most flourishing towns in England, with only one ward.

5066. Mr. Colligan.—Would you put Belfast on an equal footing with the English towns?—I would. If we had small wards it would prevent independent men getting in.

5067. Do you know anything about the areas of the towns you mention?—No.

5068. Do you approve of the difference in the number of voters and valuation?—As a whole, the number of voters and the valuation set as fairly balanced as I could see at the time. I am just using the same argument as Mr. Manney used yesterday. Each of the forty members of the Council got a special circular inviting them to attend at this special business.

5069. How many were present when the Council voted?—The books will show.

DEBATE  
Nov. 27, 1878.  
—  
Mr. WILSON  
Says.

5070. Doesn't it require fourteen to form a quorum?  
—Yes.

5071. If only twelve were present, and twelve voted, was there a quorum at all?—There are only four members of the forty in favour of ten wards, and I don't know any of the body but Mr. Buffern in favour of fifteen.

5072. Mr. Ward.—Mr. Bruce has made a statement to the effect that Sir Thomas M'Clure, Mr. J. B. Hewston, and Captain Harrison, who were present at the Poor Law Board, had no interest in Belfast. I see Mr. Hewston has a large property in St. Anne's Ward; Sir Thomas M'Clure is a large property-

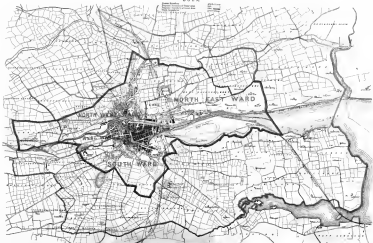
holder in St. George's Ward; and Captain Harrison has not parted with his interest in property in Dock Ward. Therefore, I could not allow that statement to pass without explanation. The resolution was passed at the fullest meeting within my recollection, and they voted publicly and honestly, and they were unanimous.

5073. Mr. Macanery.—I beg to lend in a copy of my map with returns, as given in my evidence. I have marked the existing ward boundaries with a blue dotted line, so that you will be able to compare them.

[The inquiry then terminated.]

DOCK

WATER



# MUNICIPAL BOUNDARIES COMMISSION (IRELAND), 1880.

## BELFAST.

Present Boundary - - - - - 100000  
 Proposed New Boundary - - - - - 300.

